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Current Topics.

The New King's Remembrancer.

WE NOTICED a fortnight ago the retirement of Sir JOHN MACDONELL, K.C.B., from his offices of Senior Master of the Supreme Court and King's Remembrancer. We are glad to announce the appointment as his successor of Sir THOMAS WILLES CHITTY, who has been a Master since 1901. It is not often that a common law junior, with a practice such as Sir THOMAS had, is willing to leave it for any position short of a judgeship; but the lesser responsibility of a Mastership has enabled Sir THOMAS WILLES CHITTY to make his influence felt far beyond the sphere of official duties, and he has long been reckoned as *facile princeps* in the learning of the great science of the common law. The burden of the general editorship of "The Laws of England," and now the perhaps greater burden of "The English and Empire Digest," might well be enough to fill the whole time of even an arduous worker; but Sir THOMAS has combined them with his official duties, and his learning and experience have enabled each task to be performed with success. The appointment to his new position is a very fitting recognition of his work.

The Matrimonial Causes Bill.

WE REFERRED recently (*ante*, p. 302) to the delay of the Legislature in giving effect to the recommendations of the Report of the Divorce Commission of 1912. We are glad to see, therefore, that the matter is not to be allowed to drop. A discussion of it in the House of Commons would have taken place on Tuesday, but had to be postponed to the urgency of finance; and the second reading debate on Lord BUCKMASTER'S Matrimonial Causes Bill was begun in the House of Lords on Wednesday, and was adjourned to the 24th inst., when the Lord Chancellor intimated he would state the attitude of the Government towards its proposals. The Bill is intended to give effect to the majority report of the Commission, which was signed by the late Lord GORELL and eight other members. Thus it provides for decentralizing the jurisdiction of the High Court in divorce; for extending the grounds of divorce; for allowing only temporary separation orders being made under summary jurisdiction, further and permanent orders, if re-

quired, to be made by the High Court; and for allowing cases to be heard in private, and the limitation of reports. With regard to the decentralization of jurisdiction, it is proposed that the jurisdiction of the High Court in matrimonial causes shall "be exercised by the Probate, Divorce, and Admiralty Division, and also at sittings of the High Court to be held locally." These local sittings will be held at the places—over forty in number—specified in the first schedule, and will be confined to cases where the joint assets of the husband and wife after payment of debts do not exceed £250 in value, and their joint annual income does not exceed £300; but these limits may be increased by Rules of Court. The local jurisdiction will be exercised by county court judges or other persons qualified to be Commissioners of Assize, not exceeding ten in number, appointed by the Lord Chancellor. The grounds for divorce will be the same for husband and wife, and will be (*a*) adultery; (*b*) three years' desertion; (*c*) cruelty; (*d*) incurable insanity with confinement as a lunatic for at least five years; (*e*) habitual drunkenness with separation under an order for three years; and (*f*) imprisonment under a commuted death sentence. The measure is intended to replace the existing Matrimonial Causes Acts, and it provides for their repeal. There is, of course, no question at the present day of abolishing divorce; the points for argument are how far the grounds should be extended and how the jurisdiction should be made equally available for rich and poor. On the first it is reasonable to take the recommendations of the majority report of the Commission; on the second we are glad to see that the Bill adopts, in effect, the extension of county court jurisdiction, which we have frequently urged.

"Alternative Accommodation" under the Rent Restriction Acts.

THERE HAS, perhaps, been a tendency to assume that a landlord of a protected house is debarred by the Increase of Rent, &c., Amendment Act, 1919, from recovering possession unless he can shew that there is alternative accommodation available for the tenant. But, as has been held by the Divisional Court (A. T. LAWRENCE, LUSH, and SANKEY, JJ.), in *Smith* v. *Bridgen* (*Times*, 28th February), this is not so. Under section 1 (1), provided rent is paid and the other conditions of the tenancy are observed, the landlord is debarred from recovering possession, unless—

> "(*c*) The premises are reasonably required by the landlord for the occupation of himself [or an employee], and the Court, after considering all the circumstances of the case, including especially the alternative accommodation available for the tenant, considers it reasonable to make such an order or give such a judgment."

Thus, while the alternative accommodation is put forward as a circumstance requiring special attention, yet it is only one of the circumstances, and the Court has to decide on a consideration of all the circumstances. In the case in question, the landlord gave evidence of special inconvenience to herself by reason of her approaching confinement if she was not allowed to recover possession, but she gave no evidence of alternative accommodation available for her tenant. The tenant gave evidence that he had failed to obtain other equivalent accommodation. The Court under these circumstances gave priority to the claim of the landlord. The question of alternative accommodation, A. T. LAWRENCE, J., observed, is relevant and important, but it is not the sole consideration, and provided the Court—in this case justices hearing the case under the Small Tenements Recovery Act, 1838—gave particular attention to it and formed their judgment after considering it, they were entitled to make an order in the landlord's favour, notwithstanding the absence of alternative accommodation for the tenant. The tenant had three grown-up children living with him, and it weighed with the justices that they could obtain accommodation by separating.

Surnames as Trade Marks.

A WORD IS registrable as a trade mark under section 9 (5) of the Trade Marks Act, 1905, notwithstanding that it is a surname if it is distinctive, *i.e.*, adapted to distinguish the goods of the proprietor of the trade mark from those of other persons. If the word is a common surname, such as "Smith" or "Brown," it is obviously not adapted to distinguish, but if it is an uncommon surname, then it may be proved by evidence to be adapted to distinguish. If it is proved to be in fact distinctive, that is conclusive. Such is the result of a string of cases, the latest of which is the case of "ENO," decided by PETERSON, J., in December last, and reported 37 R. P. C. 1. In that case the limited company which succeeded to the business of the late J. C. ENO applied to register in two classes "ENO" as a trade mark. The matter came before the court to decide whether or not it was a registrable trade mark, and PETERSON, J., decided that it was. The article in respect of which registration was sought was a preparation sold as Eno's Fruit Salt, which is known as "ENO'S FRUIT SALT" or "FRUIT SALT" or "ENO." "FRUIT SALT" was a registered trade mark, and appeared on the bottles containing the preparation, as also did "ENO" prominently. The evidence established that after an elaborate search only one person of the name of ENO had been discovered in the United Kingdom, and he was a haberdasher in Walworth, and that at the present time the preparation is universally known to the public and the trade as "ENO," that in a vast number of cases it is ordered simply as "ENO" without the addition of "fruit salt," and that nobody asking for "ENO" means anything else than the particular preparation. "The result, therefore," said PETERSON, J., at the conclusion of his judgment, "in my view is that the applicants have in this case established that "ENO" is a word which is adapted to distinguish the goods of the applicants from those of other persons, and therefore is a distinctive mark, and therefore I direct that the applications before the Registrar do proceed." We think the decision is perfectly right. The proceedings for registration will now take the usual course, and we anticipate that no further opposition will be offered, and that ultimately the applicants will obtain the registration they have applied for. We anticipate also that, by analogy with their previous practice, the company will place both the trade mark "ENO" and the trade mark "Fruit Salt" on the bottles of their preparation, and we foresee that ingenious questions may be raised in the future as to the legal effect of using two trade marks at the same time on the same article.

Deduction of Income Tax from Rent.

IT APPEARS from the decision of DARLING, J., in *Hill* v. *Kirshenstein* (*Times*, 4th inst.), that the rule still holds good by which the right of a tenant to deduct income tax from his rent is confined to deduction from the rent next paid after payment of the tax. This was so under the Income Tax Act, 1806: *Denby* v. *Moore* (1 B. & A. 233), and under the Income Tax Act, 1842, s. 60, Sched. A, No. IV, r. 9: *Cumming* v. *Bedborough* (15 M. & W. 438), and seemed to follow from the express direction in both Acts that the deduction was to be made out of the "first payment" afterwards made on account of rent. This was omitted in the repetition of the provision for deduction in section 40 of the Act of 1853, but it was generally assumed that these decisions continued to apply, and the rule was recognized by the Court of Appeal in *Duke of Beaufort* v. *Inland Revenue Commissioners* (1913, 3 K. B., p. 58); though it is not easily reconcilable with the decision of WARRINGTON, J., in *Re Sturmey Motors* (*Limited*) (1913, 1 Ch. 16). The Income Tax Act, 1918, repeats in Schedule A, No. VIII., r. 1, the provision of section 40 of the Act of 1842, and still requires that the deduction shall be made out of the "first payment thereafter made on account of rent." By the Revenue Act, 1911, s. 14 (2)—re-enacted in section 211 (2) of the Income Tax Act, 1918—provision was made for more extended deduction, and it was contended in *Hill* v. *Kirshenstein* (*supra*) that this had abolished the old rule. But this provision seems to be only designed to meet the case of a variation in the rate of tax so as to enable the accounts between landlord and tenant to be properly adjusted, and it does not interfere with the general rule that the tax can only be deducted from the next payment of rent.

Constitutional Law of the Empire.

EVERY STUDENT of what may be called inter-Imperial Constitutional Law should take note of the case of *McCawley* v. *Rex*, in the Privy Council (*Times*, 9th inst.). The appeal was from the High Court of Australia, affirming a judgment of the Supreme Court of Queensland, neither of the Australian courts being unanimous. Stated in the fewest possible words, the point at issue was whether the Queensland Legislature could validly pass a statute altering the tenure of judges of the Supreme Court without first formally amending the Queensland constitution under which judges hold office for life during good behaviour as in England. The Queensland Court held, by two to one, that such a statute would be invalid, and the appellate court held the same by four to three (in a court of seven judges). The *ratio* of these majority judgments was that the Queensland statutes relating to the appointment of judges were part of the Constitution, and, therefore, "fundamental" in the sense that no statute inconsistent with them could be validly enacted. The *ratio* of the minority judgments was that, as the Queensland Legislature admittedly had power to alter the Constitution, any statute plainly inconsistent with a constitutional statute was to be taken as such an alteration, and therefore valid. The Queensland Legislature had power under its own statutes to alter the Constitution, and in addition to this the Imperial statute of 1865 (Colonial Laws Validity Act) expressly conferred power on all colonial legislation to establish and control its own courts of judicature. In the Privy Council the views of the minority judges were held the better, and the appeal was allowed, the appellant being thus held to have been validly appointed a judge of the Supreme Court, although appointed for a term of seven years and not for life. The judgment of the Judicial Committee was delivered by the Lord Chancellor, who expressed the Board's disagreement with the majority of the Australian judges in language which was perhaps unusually vigorous. "Their lordships were clearly of opinion that no warrant whatever existed for the views insisted upon by the respondents and affirmed by a majority of the judges in the courts below." With reference to section 5 of the Colonial Laws Validity Act, 1865, "it would be difficult to conceive how the Legislature could more plainly have indicated an intention to assert on behalf of colonial Legislatures the right to establish courts of judicature, and to abolish and reconstitute them, than in the language under consideration." The argument of the respondents was referred to as involving them "in dialectical difficulties which were embarrassing and even ridiculous." The gist of this interesting judgment is that section 5 of the Act of 1865 means what it says, and that statutes relating to the tenure of judges are no more unalterable overseas than they are in England.

Habitual Criminals.

A VERY INTERESTING problem arose before the Court of Criminal Appeal in *R.* v. *Stanley* (reported elsewhere). A man who some years ago had been convicted of being an "habitual criminal," had gone to France on military service and served with some distinction. On demobilization he sought honest work and lived an honest life until, in circumstances of temptation, as the result of unemployment through no fault of his own, he relapsed and opened a lock-up shop with a jemmy. At his trial he was convicted of "breaking and entering with intent to commit a felony," and also of being an "habitual criminal." He was therefore sentenced to three years penal servitude and five years preventive detention under the Prevention of Crime Act, 1908. The Court of Criminal Appeal had, therefore, several points to consider. The first is whether a man, once convicted as an habitual criminal, who has since reformed, must be convicted of being an habitual criminal the next time he commits any crime, no matter how honest his life has been in the meantime. This rather hard result seems to follow inevitably from section 10 (2) (*b*) of the Prevention of Crime Act, 1908, which provides that an "habitual criminal" is a person convicted on indictment who is also proved either (1) to have been three times convicted of a crime since the age of sixteen and to be persistently leading a dishonest or criminal life, or (2) to have been previously found guilty as an habitual criminal and sentenced to preventive detention. In *Rex* v. *Davis* (1917, 2 K. B., p. 855), SANKEY, J., held that these two alternatives must be read disjunctively, and that proof of the second is enough to support a conviction as an habitual criminal, no matter how long the reformed habitual has been leading his reformed life. This view seems inevitable unless the Act is to be tortuously construed; and the Court of Criminal Appeal has now given effect to it. But thereupon a second point arose—must the Court sentence such an habitual criminal to a period of preventive detention—there being no alternative punishment possible? Or is a sentence of preventive detention a matter left to the discretion of the Court, which may or may not impose the sentence according to circumstances.

A *Locus Pœnitentiæ*.

HITHERTO THE universal view of judges has been that no option exists. There is no alternative punishment prescribed for an habitual criminal. Indeed, judges, in passing a sentence of preventive detention, usually tell the prisoner that they are compelled by law to pass it; their only discretion is as to its duration—five or ten years. But the statute does not say so. It is in these words (section 10 (1)):—

> "Where a person is convicted on indictment of a crime . . . and subsequently the offender admits that he is or is found by the jury to be a habitual criminal, and the Court passes a sentence of penal servitude, the Court, if it is of opinion that by reason of his criminal habits and mode of life it is expedient for the protection of the public that the offender should be kept in detention for a lengthened period of years, may pass a further sentence ordering that on the determination of the sentence of penal servitude he be detained for such period not exceeding ten nor less than five years, as the Court may determine, and such detention is hereinafter referred to as preventive detention. . . ."

And the Court of Criminal Appeal took the view that it is not necessary to pass any sentence at all if the trial judge in his discretion considers that preventive detention ought not to be passed. This also appears to be the strict literal interpretation of the section, although the result is not one generally expected. Such a discretion existing, the question arose whether the circumstances were such as to warrant a sentence of preventive detention. Here the Court considered that the learned trial judge had misdirected himself as to the principle. He should have recognised that a *locus pœnitentiæ* must be left to an "habitual," who by good conduct may redeem his status even if he afterwards commits a crime. In the present case good service in the Army in a time of national emergency must be regarded as extenuating the previous criminality, and a returning soldier of good character should be treated as if he were commencing, not continuing, a pre-war career of crime. The sentence was therefore reduced to one of twelve months hard labour without preventive detention.

Presumption of Survivorship.

WE REFERRED in these columns last week (*ante*, p. 318) to the rule of English law, in this respect differing from the Code Napoleon, that there is no presumption of law arising from age or sex as to survivorship among persons whose death is occasioned by one and the same cause. The occasional harshness with which the rule operates was illustrated by the case of *Wing* v. *Angrave* (1860, 8 H. L. C. 183). Now that reform of the law of property is on foot, the present time would seem to afford an excellent opportunity for a legislative alteration of the rule thus firmly established by the House of Lords decision in *Wing* v. *Angrave*. It is not, perhaps, generally known that some of the oversea legislatures have already moved in the direction of assimilating their statute law to the rule as laid down in the Code Napoleon. In the case of New South Wales this very case of *Wing* v. *Angrave* was in all probability the cause of an amendment of the existing law on the subject. The decree from which the case, reported in 8 H. L. C., was an appeal was made on 16th November, 1857, and though

this does not appear to be reported, it was similar to a decree in another part of the same case made on 3rd February, 1855, and reported as *Underwood* v. *Wing* (4 D. M. & G. 633). From this latter report it appears that Mr. and Mrs. UNDERWOOD (whose simultaneous death at sea gave rise to the litigation) were in fact on board a vessel bound for New South Wales, and the name UNDERWOOD is well known there. It seems clear, therefore, that the circumstances of the shipwreck and the litigation made more impression in New South Wales than elsewhere, and suggested the propriety of a change in the law. An Act "to remove certain difficulties affecting titles to land" was passed in 1858 by the New South Wales Legislature, and the last section in this statute was as follows. "In all cases where two or more persons shall have died under circumstances rendering it uncertain which of them survived, the death shall, for all purposes affecting the title to land, be presumed to have taken place in order of seniority, and the younger be deemed to have survived the elder." In the recent Conveyancing Act, 1919 (a New South Wales reform referred to in these columns, *ante*, p. 286), section 35 re-enacts this section with the substitution of "any property" for "land." In this amended form the enactment might well find a place in the present Law of Property Bill, now referred to a joint committee of the Lords and Commons.

Mens Rea in Murder Charges.

PERHAPS no appeal to the House of Lords, with the exception of the famous Scottish Free Church case ten years ago, has ever aroused so much public interest as that of *Rex* v. *Beard* (*Times*, 6th inst.), in which the House of Lords has just delivered its reserved judgment. The point of law was, indeed, one of the first magnitude. But it was not this which aroused popular interest. The public curiosity was strongly aroused by the character of the crime and the nature of the defence. Unfortunately, as sometimes happens, popular sentiment was not in favour of the enlightened and advanced, but strictly logical, view of the law taken by the Court of Criminal Appeal, which had reduced a sentence of murder to one of manslaughter on the ground of judicial misdirection as to the law causing a substantial miscarriage of justice. Moral indignation against an unsavoury crime led public opinion to desire a stricter interpretation of the law. It is not unlikely that this sentiment was shared by members of the final Court of Appeal, for they, too, are human beings. And where considerations of legal interpretation are nicely balanced the personal equation in the judge is apt to prove the deciding factor. Be this as it may, the older, harder and stricter interpretation of the nature of "malice aforethought," sufficient to classify a homicide as in the order of "murder," was taken by the House of Lords. Not only was the Court of Criminal Appeal overruled in the present case, but, in substance, so also was the classic decision of the same Court, namely, *R.* v. *Meade* (1909, 1 K. B. 895), which had gone a long way to remove old inhumanities in the law of constructive murder.

The facts of *R.* v. *Beard* (*supra*) require only a very brief statement. A night-watchman was charged with murdering a little girl. She had been suffocated in the course of an attempt to rape. It was not quite certain whether her assailant had placed his hand on her throat to stifle her cries, or whether he had accidentally overlain her in the course of committing the crime. It was also matter of disputed evidence whether he was very drunk on the occasion. But Mr. Justice BAILHACHE, the trial judge, had directed the jury. in substance, that it was immaterial whether the smothering was deliberate or casual, and immaterial whether the prisoner was drunk or sober—so long as he was not so drunk as to be incapable of appreciating the nature of his act or its moral wickedness—in other words, only drunkenness causing temporary insanity is a defence in cases of murder. The Court of Criminal Appeal upheld him on the first point; if a man smothers a woman in the course of committing a felony such as rape, it does not matter whether he tried to suffocate her or did so accidentally. But, on the second point, the Court of Criminal Appeal followed *R.* v. *Meade* (*supra*), and held that a drunken man may be so drunk as not to appreciate the dangerous character of his act. In such a case, they held, he is incapable of forming an intent to injure another in a way of which murder is a probable consequence; in other words, his state of mind does not amount to "malice aforethought," the *mens rea* necessary to convert manslaughter into murder. They accordingly reduced the conviction to one of manslaughter, and substituted penal servitude for capital punishment.

On this important point the Director of Public Prosecutions obtained the leave of the Attorney-General to appeal to the House of Lords. Since the House could not at once make up its mind, its decision was reserved; but the humane practice was very properly adopted by the Home Secretary of announcing at once that he proposed to advise a respite by Royal prerogative in the event of the House of Lords ultimately restoring the verdict of murder. After three months' delay that verdict has been restored. The House of Lords did not, indeed, approve of Mr. Justice BAILHACHE's view that drunkenness is never a defence unless it amounts to insanity. But neither did they approve of the broader view taken by the Court of Criminal Appeal in the present case and in that of *R.* v. *Meade* (*supra*). They have adopted an intermediate position. Their considered opinion is, that where a man, despite his drunkenness, can form and has formed an intent to commit a crime, short of murder, in the course of which his victim is unintentionally killed, then he is guilty of murder in every case in which a sober man would be held guilty. But if he is too drunk even to form an intent—a possible, but not a likely contingency—and does the act which caused death without knowing what he is doing, then there is no active *mens rea*, and therefore no malice aforethought. The test in the case of drunkenness is, therefore, whether the accused can form an intent to commit the felony complained of—in this case rape—and not, as the Court of Criminal Appeal held, whether he can appreciate the dangerous character of the felonous act he intends to commit.

The result is a somewhat reactionary decision, a reversion to the older and less logical, as well as less humane, view of the nature of "constructive murder." For the essence of murder is "malice aforethought"—*i.e.*, a deliberate intent to kill another. But our courts have for centuries given an artificial interpretation to the phrase "malice aforethought." They have created a curious doctrine of "constructive murder," based on the quite unreal principle that a person must be presumed to intend the natural and reasonable consequences of his acts. In fact, they have held that *primâ facie* homicide is murder. The burden is on the defendant to reduce it to manslaughter, or to justifiable or excusable homicide, by disproving "malice aforethought." And at first a very narrow view was taken of the circumstances in which he would be allowed so to disprove *mens rea*. The law, however, has undergone a steady but progressive development in a fairer and more humane direction, to which *R.* v. *Beard* (*supra*) has proved the first check. That development we propose to trace briefly.

When first our common law began to take shape in the great days of Sir EDWARD COKE, the terribly hard rule prevailed that a man who, in the course of doing any unlawful act, happened to kill another, was guilty of murder (Kenny, p. 136). At first it was immaterial whether the unlawful act was a crime or merely a tort; the wrongdoer could not set up his own default. The next stage limited the rule to cases when the unlawful act was a crime of some kind; and in the seventeenth century it got still further limited to killing in the course of committing a felonous act (Foster's Crown Law, 258). FOSTER gives an illustration. A man shoots at a fowl with intent to steal it and accidentally kills a bystander; this is murder, because attempted theft is felony. He shoots at a sparrow or partridge on his neighbour's land with intent to

poach, and kills another bystander; this is mere manslaughter, not murder, because poaching is not a felony. A thief pushes a man with intent to steal his watch, the man falls, hits a hard flint on the ground and is unexpectedly killed—murder. A man assaults a woman with intent to ravish her; she has a weak heart and dies of the shock—murder. Here robbery and rape are felonious, and so are attempts to commit them.

But gradually FOSTER'S extreme rule got relaxed. In *Lad's case* (1773, Leach, p. 96), the judges shewed great reluctance to treat as murder death caused after some interval of time by an act of rape. In *Reg.* v. *Serne* (16 Cox C. C. 311), the late Sir JAMES FITZJAMES STEPHEN, a great authority on criminal law, instructed a jury that such a view is erroneous. And gradually, in course of time, a new rule has grown up, namely, that the unintentional killing of another in the course of a criminal act only amounts to murder when the act is intrinsically dangerous to life (per Baron BRAMWELL in *R.* v. *Horsey*, Kenny's Criminal Cases, 109). In such a case, of course, it is immaterial whether the act is a felony or a misdemeanour; the test is its intrinsic dangerousness to human life.

Such was the benevolent view of the law which had gradually crept into isolated judicial decisions when *R.* v. *Meade* (*supra*) came before the Court of Criminal Appeal in 1909. And there the Court definitely adopted this more humane rule. They held that homicide in the course of a criminal act is murder only when two conditions are satisfied: first, that the act is intrinsically dangerous to human life so that its natural and probable consequences is to kill; and second, that the accused is in a state of mind to appreciate the intrinsic dangerousness of his act. Both these points must exist in order to constitute murder, when none was deliberately intended. The presumption of intending the consequences naturally flowing from one's acts may be rebutted in several ways: for example, by shewing that the accused was incapacitated by drunkenness from realising those consequences. Although confined to the specific rebuttal by "drunkenness," the rule laid down in *R.* v. *Meade* (*supra*) was general in its nature, and constituted a liberal development in the logical direction of abolishing the inhumane doctrine of "constructive murder" and replacing it by a humane rule. In *Meade's case*, it should be pointed out, the act complained of was an attempt to inflict grievous bodily harm, not an act of rape; hence the specific intent to do grievous bodily harm had to be proved in addition to the intent to assault. But in *Beard's case* the crime was rape, where the intent to do grievous bodily harm is implied in the intent to ravish, so that the general intent to commit the crime is enough; it is not necessary to prove, in addition, a specific intent to inflict grievous bodily harm.

It must be recognized that the present decision of the House of Lords, although they partially distinguish *Meade's case* on the ground suggested at the end of the preceding paragraph, is essentially a judgment overruling that enlightened case, and restoring the older and narrower rule of the common law. It might seem to re-establish the principle that where a man kills another unintentionally in the course of any criminal act calculated to endanger life or to do grievous bodily harm, he must be presumed guilty of murder whether or not he appreciated the dangerous character of his act. Although this stricter rule may, perhaps, commend itself at the moment to public and professional opinion, it seems a correct forecast that its inconvenience will be recognized as future cases arise in which public sentiment is not so strongly stirred. The view of Mr. Justice STEPHEN that such a view is harsh will doubtless in the long run reconquer public opinion.

In the House of Commons on the 4th inst. Mr. Lloyd George, in reply to Brigadier-General Croft, said: With reference to the operation of the Rent Restriction Acts and of their extensions, continuance or amendment, the Committee of Inquiry was appointed by the Cabinet to inquire into the whole question. He was painfully conscious of the increasing anxiety on the subject. There was no matter about which he got so many letters as this, but it was very complex and difficult. He hoped that the report would be laid on the table by Lady Day. He believed that the Committee's investigations would extend to shopkeepers.

Patents and Designs Act, 1919.

IV.

Crown Rights.—Under sec. 29 of the principal Act a patent bound the Crown, subject to a proviso giving any Government Department or persons authorised by them the right to use the invention for the services of the Crown on terms agreed on, or, in default of agreement, settled by the Treasury after hearing all parties interested. This section has not proved satisfactory or adequate in practice; for instance, to take one point only, it afforded no means of settling a dispute whether the invention was being used, or as to the validity of the patent. A new section 29 is, by section 8 of the new Act, substituted for the old one. It is too long for quotation here, but while re-enacting in the main the former section, except the provision for settlement of terms by the Treasury, it provides for reference of disputes as to the use, as well as to the terms of user of the invention, and introduces a new proviso with reference to any invention recorded in a document by, or tried by or on behalf of, a Government Department before the date of a patent. In such a case, if the invention was not communicated directly or indirectly by the applicant for the patent or the patentee, any Government Department, or persons authorised in writing by them, may use the invention free of any royalty or other payment to the patentee. Provision is made for confidential disclosure of the document recording the invention or the evidence of the trial, if other disclosure would be detrimental to the public interest. In case of any dispute "as to the making, use or exercise of an invention under" the section, "or the terms therefor, or as to the existence or scope of any record or trial as aforesaid," the matter is to be referred to the Court for decision, and the Court may refer the whole matter or any question or issue of fact to be tried before a special or official referee or an arbitrator. The Court, referee or arbitrator may, with the consent of the parties, take into consideration the validity of the patent for the purposes only of the reference and for the determination of the issues between the applicant and the Department; and may, in settling terms for the use, take into consideration any benefit or compensation which the patentee, or any other person interested in the patent, may have received directly or indirectly from the Crown or from any Government Department in respect of the patent.

The right of user of an invention for the services of the Crown is to include, and to be deemed always to have included, the power to sell any articles made in pursuance of such right which are no longer required for the services of the Crown (new section 29 (3)).

The terms of any agreement or licence concluded between the inventor or patentee and any person other than a Government Department are to be inoperative so far as concerns the making, use or exercise of the invention for the service of the Crown (section 29 (1)).

By section 15 of the Act of 1919 the registration of a design has the same effect as against the Crown as against a subject, but the provisions above referred to are made applicable to registered designs.

The new provisions as to the terms on which an invention or a design can be used by or on behalf of a Government Department do not come into operation until such time as may be fixed by Order of the Board of Trade (section 22).

Miscellaneous.—Other amendments contained in the new Act are as to oppositions to grants of patents (section 4); as to the grant and sealing of patents where there are disputes between joint applicants, or where the applicant has agreed to assign a patent when granted, and refuses to proceed with the application (section 5); as to costs and security for costs in proceedings before the comptroller (section 12); as to an order for the grant of a licence operating as a licence by deed (section 3); as to the registration of assignments, etc. (section 14), extending also to designs); as to the registration of patent agents (section 18); and an amendment of section 75, giving a right of appeal where a patent or design is refused as being

contrary to law or morality. As to registration, it should be noticed that a document or instrument in respect of which no entry has been made in the register, in accordance with the provisions of the new section substituted for the old section 71, is not to be admitted in evidence in any Court in proof of the title to a patent or copyright in a design, or to any interest therein, unless the Court otherwise directs; but proceedings for rectification of the register are excepted. The provisions as to the registration of patent agents provide that nothing therein is to be taken to prohibit solicitors from taking such part as they have heretofore taken in any proceedings under the Act.

Designs.—With respect to designs, besides the provisions noticed above, there is a new definition of a design, and an amendment of the grounds on which application can be made to the comptroller for cancellation of a design. The definition is as follows:—"'Design' means only the features of shape, configuration, pattern or ornament applied to any article by any industrial process or means, whether manual, mechanical or chemical, separate or combined, which in the finished article appeal to and are judged solely by the eye; but does not include any mode or principle of construction, or anything which is in substance a mere mechanical device" (section 19).

An application for the cancellation of the registration of a design may be made on the ground (*a*) that the design has been published in the United Kingdom prior to the date of registration; or (*b*) that the design is applied by manufacture to any article in a foreign country, and is not so applied by manufacture in the United Kingdom to such an extent as is reasonable in the circumstances of the case. In the case last mentioned the comptroller may give time by adjourning the application, and in lieu of cancellation he may order the grant of a compulsory licence on such terms as he may consider just. An appeal lies to the Court, and the comptroller may refer an application to the Court for trial (section 14).

Amendments of the principal Act, relating to minor details, are set out in the schedule to the Act of 1919 (section 20 and schedule). It may be noticed that a patent of addition does not now necessarily come to an end if the patent for the original invention is revoked. It may, if the Court or the comptroller so orders, become an independent patent, but not enduring beyond the term of the patent for the original invention.

The Income Tax Commission.

(*Continued from p.* 322.)

To a certain extent discrimination is already made between married and unmarried persons in the allowances for wife and children; but there has been no real attempt to make the assessable income correspond to the number of persons to be supported out of it. In this respect it is interesting to note the evidence of Mr. E. R. Carter, on behalf of the Labour Party, who said (p. 987):—

> "The fairness of this method is so obvious that the principle has been accepted for many years in some European countries, outside the United Kingdom, where income tax is collected. Norway furnishes a good illustration. In that country persons liable to taxation are divided into (*a*) those who have no one to support, *e.g.*, companies, &c., (*b*) those who have from one to three persons to support, (*c*) those who have four to six persons to support, and (*d*) those who have seven or more persons to support. The amount of income actually taxed is in proportion to the liability of the taxpayer as expressed by those classes. Those who are counted as 'dependent' are his children (own or adopted), his parents, brothers, sisters, and other relations and connections by marriage who might have a reasonable claim to his support."

And he advocated (p. 988) the deduction of the necessary travelling expenses of going to and from work, a matter which seems obvious, though the Revenue Authorities have not hitherto recognized it.

We must pass very rapidly over the sixth and seventh instalments of evidence, or the Report will be published before we have completed our summary of the materials on which it is to be founded. A good deal of further evidence was given as to the insufficiency of the present allowance for repairs under Schedule A—for instance, by Mr. Edwin Evans and Mr. Robert Dunlop, on behalf of property owners' associations in England and Ireland. It was submitted by the former (p. 997) that the minimum allowance should be—£40 and under, gross value, one-third; between £40 and £60, one-fourth; over £60, one-fifth, and he regarded the allowances, additional to the authorized one-sixth under the Finance Act of last year, as being in practice too difficult to be of much benefit. In theory the owner should be allowed to deduct the actual cost of repairs; but Mr. W. Sharland, an assistant Chief Inspector of Taxes, considered (p. 1031) that, with some 12,000,000 properties and 2,000,000 owners there were insuperable objections to this from the administrative point of view. And yet the same objection might be made to the allowance of business expenses. That actual cost of repairs should be deducted was also urged by Mr. W. A. Haviland and Mr. Leslie S. Wood, on behalf of the Land Union and other societies (p. 1094):—

> "We suggest, therefore, that, in all cases, the landowner should be given the option of being assessed in respect of his income from land and houses under Schedule D, viz., on his average net income therefrom during the three years preceding the year of assessment."

Mr. John W. Budd, of Messrs. Budd, Johnson, Jacks & Colclough, and Mr. Randle F. W. Holme, of Messrs. Godden, Holme & Ward, gave evidence on behalf of the Law Society. Mr. Budd repeated the protest made by earlier witnesses against the taxation here of agents of foreign manufacturers. This, he considers, prevents agencies being established, and deprives the country of much incidental business. In his view (p. 1175):—

> "The trade is exercised and the profits of the non-residents are earned at the place where the goods are manufactured or produced, and where the brains and control of the business are at work. The only trade exercised here is the trade of the agent, who, of course, pays tax in respect of his remuneration as agent."

He also emphasized the protest of previous witnesses against the failure to make proper allowance in respect of wasting assets, such as nitrate grounds; and urged that the present differentiation in favour of earned incomes was inadequate; and that to remove a general feeling of grievance, the rate of taxation on incomes earned personally should be reduced to one-half of income from investments.

As regards procedure on appeals, Mr. Holme urged that there should be power to extend the time for notice of appeal—the present rules being too strict—while, after notice, limits should be introduced for the subsequent proceedings (p. 1177):—

> "It is most desirable that there should be time limits fixed for the following steps in the procedure:—
>
> (1) submission by the Special or General Commissioners of the draft case to appellant;
> (2) return of draft case by appellant;
> (3) submission of draft case to respondent;
> (4) return of draft case by respondent;
> (5) final settlement and signature of the case by the Special or General Commissioners;
> (6) delivery of points of argument.
>
> The parties should have power to extend these times by agreement, and, in default of agreement, the Revenue Judge should have power to extend them, as well as the time limits already imposed by law. When appeals have once been set down arrangements should be made for hearing them during the same or the following term."

And, further, Mr. Holme urged that the right of appeal should not be cut down by particular statutes, as is done in certain cases with regard to excess profits duty: "There should in all cases be a right of appeal to the General or Special Commissioners from every decision of the Inland Revenue" (p. 1177). We may call attention, too, to the specimen forms of certificate of deduction of tax from dividends which he produced (p. 1178).

Evidence was also given by Mr. Phillip H. Martineau, of Messrs. Martineau & Reid, a member of the Council of the Law Society, who called attention to the hardship inflicted on tenants for life by the decision in *Earl Howe* v. *Inland Revenue Commissioners* (1919, 2 K. B. 336; 63 Solicitors' Journal, 514) as regards assessments to super-tax. It may be necessary for a tenant for life to raise sums of money to discharge his obligations in connection with the estate, and for this purpose he probably has to borrow on the security of his life interest with a policy of insurance; but while he is allowed to deduct interest on the loan, he is not allowed to deduct the insurance premiums which also are a necessary expense of the security. Mr. Martineau's examination elicited the information that a tenant for life might, with an income of £30,000, have to pay £16,000 interest and £15,000 income tax, whereupon (p. 1191):—

> "Chairman (Lord Colwyn): I am wondering how they can spend £31,000 and receive £30,000; that is the thing that is bothering me."

"Mr. PRETYMAN: That is the law. I do not think it is realized by the public, but that is the position."

Perhaps the boldest of the witnesses was Mr. JOHN MACKIE, a chartered accountant in Ireland, who proposed, among other things, to abolish taxation at the source, Schedules A, B, C, D, and E, relief in respect of life insurance premiums, and the distinction between earned and unearned income; also to merge super-tax in a graduated income tax—as had been suggested by others—and to extend the income tax to capital profits (pp. 1214 *et seq.*); but his evidence we need not examine in detail. And we can only refer briefly to the further evidence of Mr. E. R. HARRISON, an Assistant Secretary of the Board of Inland Revenue (pp. 1225 *et seq.*), which was concerned with various matters arising out of evidence given by other witnesses, such as the form of the taxpayer's return, assessments on partnership profits, the merger, just referred to, of super-tax in income tax (which, he pointed out, was not consistent with the present system of collection at the source), appeals, repayments (reference being again made to the proposed decentralization of the repayments work, so as to enable the taxpayer to obtain repayment more easily and speedily), the period of the year of assessment, and the statement of the taxpayer's total liability.

Mr. ERNEST C. PEGLER, F.C.A. (Seventh Instalment, pp. 1305 *et seq.*), put in as his evidence-in-chief a valuable memorandum on the doctrine of control in relation to international trade and double income tax, and he emphasized the fact that the transfer of the control of businesses from this country involves the loss of a large amount of incidental business, and he developed this view by examining various instances, such as banking, shipping, and insurance profits, and buying and selling commissions. The memorandum will repay careful study by those interested in the question. When asked by Mr. MCLINTOCK whether he had had many cases of the control being actually removed from this country, he replied (p. 1313):—

> "During the war I have had four cases of the control actually having been removed; those were cases where the accelerating force was the excess profits duty, but I have been assured by the people themselves that they would have gone in any event because of the income tax. In all those cases there were preponderating foreign interests."

Very interesting evidence was given, too, by Mr. H. BERTRAM COX, Solicitor of Inland Revenue, in particular on the form of the consolidating Income Tax Act of 1918, and on the suggested rearrangement of the schedules, and with regard to appeals. On the first point, his examination by Mr. KERLY includes the following (p. 1320):—

> "26,650. As an example, have you had any experience of the present Copyright Act?—No, I have not had to deal with that at all.
>
> 26,651. It is an example, perhaps I may suggest to you, to be avoided. An attempt was made to give a literary form to the Act because it was the Copyright Act; and, according to my experience, very few lawyers have succeeded in finding out what it means. So that is an example to be avoided?—Of course it is always desirable as far as possible to keep to the forms of expression and terms which are familiar."

And from later questions (p. 1326) it is to be gathered that it will be quite impossible for Parliament to make any general change in the law of income tax in consequence of the recommendations of the Committee by 5th August, the latest date for the Finance Act of the year. Further official evidence will be found at pp. 1328 *et seq.* by Sir THOMAS COLLINS, Chief Inspector of Taxes, and Mr. E. R. HARRISON; and Sir ARTHUR STEEL-MAITLAND followed up the evidence of Mr. PEGLER and earlier witnesses by emphasizing the loss caused by the removal of the management of companies from this country owing to double income tax and the high rate of the tax. The summary of the evidence which we have given from time to time shews the large number of points, most of them of complexity and importance, with which the Commission will have to deal in their Report.

Reviews.

Title to Land.

NOTES ON PERUSING TITLES, CONTAINING PRACTICAL OBSERVATIONS ON THE POINTS MOST FREQUENTLY ARISING ON A PERUSAL OF TITLES TO REAL AND LEASEHOLD PROPERTY, AND AN EPITOME OF THE NOTES ARRANGED BY WAY OF REMINDERS. By LEWIS E. EMMET, Solicitor. EIGHTH EDITION. The Solicitors' Law Stationery Society (Limited). 20s. net.

With the addition of new matter, including the reference to some 300 further cases, some condensation and elimination has been necessary in the present issue of Mr. Emmet's well-known and useful work; and, in particular, the law as to personal representatives and trustees selling under a charge of debts under Lord St. Leonards' Act, which is now practically obsolete, has been omitted. In the natural order, the book commences with the consideration of questions arising on the contract, and at p. 6 will be found the cases on that perpetually recurring point, whether a contract has been really concluded, or whether the matter still rests in negotiation, and the formal and binding contract is to come later. Not least useful is the judgment of the late Lord Parker when in the Chancery Division in *Von Hatzfeldt-Wildenburg* v. *Alexander* (1912, 1 Ch. 284). The succeeding chapters on the contents of the abstract of title, and its perusal and the sending in of requisitions are full of guidance to the young practioner, and can well be referred to by the expert. And when, as is often the case, conveyancing business presses, and it is difficult to keep pace with the limits of time, it is useful to be reminded that the day of delivery of the abstract is excluded from the time for sending in requisitions. Part II. discusses the various points arising on deeds—th eparties, the operative words, covenants, and so on; and Part III. takes up wills and settlements. Part IV. is devoted to copyholds. Perhaps what the practitioner chiefly wants is a ready guide to the points arising on death duties. These are now so complex that conciseness in dealing with them is difficult, but a very useful summary will be found at p. 307 *et seq.* We seem to be on the eve of great changes in conveyancing, and no writer or editor can feel confident as to the future form of his book; but for present requirements Mr. Emmet's book will continue to be a welcome help to the conveyancer.

Mercantile Law.

STEVENS' MERCANTILE LAW. SIXTH EDITION. By HERBERT JACOBS, of the Inner Temple, Barrister-at-Law. Butterworth & Co.

This new edition of a well-known students' text-book can be recommended with confidence to all who have to pass any examination requiring knowledge of the principles of commercial law. The older editions of "Stevens" were greatly improved when Mr. Jacobs first undertook the task of revising them a dozen years ago; and the 1920 edition lives up to the merits of its predecessors. The first part states concisely, but lucidly and accurately, the leading rules of the law of contract. Then follows a detailed study of those categories of contract most important in business, *e.g.*, Sale of Goods, Partnership, Hire, Charter-parties, and negotiable instruments. Companies are discussed briefly but adequately, with references to the Companies Consolidation Act of 1908 in substitution for the older references to the earlier Acts. "Bankruptcy" finishes the volume; and in this subject, too, recent consolidating legislation is responsible for rearrangement and the remodelling of references. Of course, war contract law—such as the development of the famous "Impossibility of Performance" rule—takes up considerable space in this edition. But, on the other hand, Mr. Jacobs shews a true sense of perspective by crushing Emergency Legislation (which is only dealt with by casual references wherever it happens to be relevant) into the briefest possible space. An admirable book, and one which even Bar and Law Society students can learn a great deal from.

Correspondence.

Solicitors' Remuneration.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Sir,—The Council have received an intimation from Sir Arthur Thring, K.C.B., that directions have been given to the House of Lords Taxing Officer to allow, as respects House of Lords appeals, the same increase as is sanctioned by the recent Rules of the Supreme Court, namely, 33⅓ per cent. in respect of business done after the 31st August, 1919.

E. R. COOK, Secretary.

Law Society's Hall, Chancery-lane, W.C. 2. 9th March.

[*To the Editor of the Solicitors' Journal and Weekly Reporter.*]

Sir,—Are Commissioners' fees governed by the 33⅓ per cent. increase?

YOUNG & SONS.

29, Mark-lane, London, E.C. 3. 3rd March.

[The fees are authorized by Appendix N, item 198, and appear to be governed by the increase—at any rate where the affidavit is for use in the Supreme Court.—ED., *S.J.*].

Expenses of Production of Deeds.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—The General Conditions of Sale published by the Birmingham Law Society provide as follows:—

"32. (ii.) The vendor shall, at his own expense, verify the abstract by the production of all such documents and evidences of title as are in his possession or in the possession of the vendor's mortgagee or trustee."

L. ARTHUR SMITH,
Hon. Secretary, Birmingham Law Society
Birmingham, 9th March.

CASES OF THE WEEK.

House of Lords.

DIRECTOR OF PUBLIC PROSECUTIONS *v.* **BEARD.** 16th, 17th and 19th December; 5th March.

CRIMINAL LAW—MURDER—ACT OF VIOLENCE IN FURTHERANCE OF A FELONY—DEFENCE OF DRUNKENNESS.

B. was convicted of the murder of a thirteen-year-old girl, and sentenced to death. The medical evidence was that the girl died from suffocation and violence. The only defence put forward was that B. at the time was drunk. On appeal, the Court of Criminal Appeal reduced the sentence to one of manslaughter with twenty years' penal servitude, being of opinion that, although B. had murdered the girl, there had not been a proper direction to the jury on the plea of drunkenness, as laid down in Rex *v.* Meade (1909, 1 *K. B.* 895). *It was there held that, while a man who was sober must be taken to intend the natural consequences of his acts, the presumption of criminal intent might be rebutted in the case of a man who was drunk by shewing his mind to have been so affected by the drink that he was incapable of knowing that what he was doing was likely to inflict serious injury, and if that presumption was rebutted, the sentence could be reduced to one of manslaughter.*

The Crown appealed.

Held, that the proposition in Meade's case *in its wider sense could not be supported. There was no evidence here that B. was so drunk that he was incapable of forming the intent to commit the crime of rape. The appeal was therefore allowed, and the death sentence restored.*

Semble, that Meade's case *was also distinguishable from the present case on the ground that to establish the charge in* Meade's case *it was necessary to prove specific intent to do bodily harm, whereas here it was only necessary to prove that the violent act causing death was done in furtherance of the felony of rape.*

Appeal by the Crown from an order of the Court of Criminal Appeal (reported 35 T. L. R. 94). The respondent, Arthur Beard, was convicted at the Chester Assizes of the murder of a thirteen-year-old girl, and was sentenced to death. He appealed against the conviction on the ground, *inter alia*, that the direction to the jury as to the effect of drunkenness on crime was not in accordance with the law. The Court held that the evidence established that Beard killed the child by an act of violence committed in furtherance of the crime of rape; that this constituted the crime of murder; and that the judge (Bailhache, J.) rightly directed the jury on the point. With regard to the defence of drunkenness as an excuse for the crime, the jury, in their opinion, were not properly directed on the law as laid down in *Rex* v. *Meade* (1909, 1 K. B. 895) and other authorities. It was impossible for the Court to say what the verdict would have been if a proper direction on this point had been given the jury, and therefore they reduced the verdict to one of manslaughter and a sentence of twenty years' penal servitude. The appeal asked that the sentence of death should be restored. It was mentioned that the inevitable delay caused by the appeal to their lordships' House was held by the Home Secretary a sufficient reason for advising His Majesty that, whatever the result of the appeal might be, the sentence of death should not be carried out.

Lord BIRKENHEAD, C., in his considered judgment, which was concurred in by all the noble and learned lords present, said that the case was brought to their lordships' bar under section 1 (6) of the Criminal Appeal Act, 1907, upon the certificate of the Attorney-General that the decision appealed from involved a point of law of exceptional importance. The undisputed facts were that Beard outraged and killed a girl of thirteen. He was tried for his life before Bailhache, J., and the sole defence put forward was that he was so drunk that his crime must be pronounced manslaughter and not murder. Upon this issue Bailhache, J., gave the following direction of law to the jury: "It is no defence to say, 'I should not have done that wicked thing if I had not been so drunk.' But if he has satisfied you by evidence that he was so absolutely drunk at the time that he really did not know what he was doing, or did not know that he was doing wrong, then the defence of drunkenness succeeds to this extent—that it reduces the crime from murder to manslaughter. What I mean by that is a sort of thing like this: supposing he cuts a woman's throat under the impression that he is cutting the throat of a pig, then the crime of murder is reduced to the crime of manslaughter. But if a man says, 'I was mad and turned into a brute by drink,' it is no defence unless he satisfies you that he was so far out of his senses that he did not know what he was doing." The jury, after a very brief deliberation, returned a verdict of murder. On this direction two separate and independent points of misdirection were taken on behalf of the prisoner: (1) That the learned judge should have told the jury that, if they were of opinion that the violent act which was the immediate cause of death was not intentional, but was an accidental consequence of placing his hand over the mouth of the deceased so as to prevent her from screaming, they could, and should, return a verdict of manslaughter; and (2) that the learned judge wrongly directed the jury as to the defence of drunkenness, and gave a direction which was not in accordance with the decision in *Meade's case*, and was applicable only to the defence of insanity. The first objection failed, the Court being of opinion (apart from the defence of drunkenness) that the evidence established that the prisoner killed the child by an act which by the law of England was murder, and no attempt to displace this view of the law had been made at the bar of this House. The second objection the Court of Criminal Appeal felt bound by the decision in *Rex* v. *Meade* to hold that the judge had given a direction which was calculated to mislead the jury by imposing a test applicable only to the defence of insanity instead of the test, imagined to be generally laid down in *Meade's case*, for application to the defence of drunkenness. It was contended by the Crown in this House that, while the decision in *Meade's case* might have been right upon the facts there proved, it was an authority of limited and not of general application; that in its limited application *Meade's case* did not affect the present case, and that, consequently, there was no misdirection. In *Meade's case* the rule was laid down in these terms: "A man is taken to intend the natural consequences of his acts. This presumption may be rebutted (1) in the case of a sober man in many ways; (2) it may also be rebutted in the case of a man who is drunk, by shewing his mind to have been so affected by the drink he had taken that he was incapable of knowing that what he was doing was dangerous—*i.e.*, likely to inflict serious injury. If this be proved, the presumption that he intended to do grievous bodily harm is rebutted." The language there used would mean that a person charged with a crime of violence might shew, in order to rebut the presumption that he intended the natural consequences of his acts, that he was so drunk that he was incapable of knowing that what he was doing was dangerous. In the present case the Court of Criminal Appeal, notwithstanding the opinion it had expressed that an act of violence done in furtherance of rape was murder, held that it was bound to follow this decision, and that the jury should have been directed to consider whether Beard, at the time of placing his hand on the child as described, was incapable of knowing that what he was doing was dangerous—*i.e.*, likely to cause serious injury. The proposition in *Meade's case* in its wider interpretation could not be supported by authority. In *Meade's case* the crime charged was that death arose from violence done with intent to cause grievous bodily harm. In this case the death arose from a violent act done in furtherance of what was in itself a felony of violence. In *Meade's case*, therefore, it was essential to prove the specific intent: in *Beard's case* it was only necessary to prove that the violent act causing death was done in furtherance of the felony of rape. Drunkenness in this case could be no defence, unless it could be established that Beard, at the time of committing the rape, was so drunk that he was incapable of forming the intent to commit it, which was not in fact, and, manifestly, having regard to the evidence, could not be intended. For in the present case death resulted from two acts or from a succession of acts, the rape and the act of violence causing suffocation. The capacity of the mind of the prisoner to form the felonious intent which murder involved was, in other words, to be explored in relation to the ravishment, and not in relation merely to the violent acts which gave effect to the ravishment. His lordship then dealt with the actual direction given by Bailhache, J., and said that, although open to criticism, and in some respects unhappily conceived, he was not prepared, reading the summing up as a whole, to hold that in this case it amounted to, or should be treated as, a misdirection. The defence which was founded upon insanity was one thing. The defence which was founded upon drunkenness was another. He doubted whether, in the present case, there was any sufficient evidence to go to the jury that the prisoner was in the only relevant sense drunk at all. There was certainly no evidence that he was too drunk to form the intent of committing rape. Under these circumstances it was proved that death was caused by an act of violence done in furtherance of the felony of rape. Such a killing was by the law of England murder. For these reasons he moved that the appeal should be allowed and the conviction of murder restored.

In this judgment the Earl of READING, C.J., Viscount HALDANE, Lords DUNEDIN, ATKINSON, SUMNER, BUCKMASTER and PHILLIMORE concurred.—COUNSEL, for the Crown, *Sir Gordon Hewart*, A.-G., *Sir Ernest Pollock*, S.-G., *Sir Ellis Griffith*, K.C., *Sir Richard Muir*, *Branson*, and *Ralph Sutton*; for the respondent, *Artemus Jones*, K.C., *Austin Jones*, and *Dallas Waters*. SOLICITORS, *Director of Public Prosecutions*; *Haslam & Sonders*, for *Henry Bostock*.

[Reported by ERSKINE REID, Barrister-at-Law.]

Court of Appeal.

***Re* LYNE-STEPHENS AND SCOTT-MILLER'S CONTRACT.** No. 1. 17th and 18th February.

VENDOR AND PURCHASER—COMPLETION—SALE OF FREEHOLD HOUSE WITH VACANT POSSESSION—EXPIRATION OF LEASE ON DATE FIXED FOR COMPLETION—RIGHT TO RECEIVE MONEY PAID BY LESSEE IN DISCHARGE OF LIABILITY FOR DILAPIDATIONS.

A freehold house let on a repairing lease, which had been occupied during the war by the military, and considerably damaged, was put up for sale, the purchase to be completed and vacant possession given to the purchaser on the date of the expiration of the lease.

Held, that a sum of money agreed after the sale to be paid by the lessee and accepted by the vendor in full discharge of the former's liability under the repairing covenants of the lease belonged to the vendor, and not to the purchaser.

Re Edie and Brown's Contract (58 *L. T.* 307) *approved and followed. Decision of* Sargant, J., *affirmed.*

Appeal by the purchaser from a decision of Sargant, J., on a vendor and purchaser summons. The vendor, Mr. Scott-Miller, was the owner of a large freehold house and grounds known as Lower Grove House, Roehampton, Surrey, which he had let for a term expiring 29th September, 1919, at a rent of £500 per annum, and subject to covenants to keep and deliver up the property in good repair and condition. During the war possession had been taken of the house by the Government for the accommodation of the Royal Air Force, and when it was vacated it was left in a very bad condition of repair. The vendor put the property up for sale "with possession on completion" by auction on 8th July, 1919, and the auctioneer announced before the sale that the property had been "cruelly treated by soldiers," but that the damage was only superficial, and that it could be restored to its former beauty. Condition 4 of the conditions of sale provided that up to the date of completion the rents and profits were to be received and the outgoings discharged by the vendor, and on completion the purchaser was to be let into possession of the property as from when the outgoings were to be discharged by him. The property was knocked down to the purchaser, Mr. Lyne-Stephens, who was the highest bidder, at £8,900. The completion was fixed for 29th September, the date when the lease expired. Some six weeks after the sale, after negotiations, the vendor and lessee agreed that the latter should pay the sum of £2,060 in full payment of the dilapidations. This sum was paid into a bank in the joint names of the lessee and vendor, and before completion was claimed by the purchaser as belonging to him. Upon a vendor and purchaser summons being taken out to decide the question Sargant, J., held the vendor was entitled to the money. The purchaser appealed.

THE COURT dismissed the appeal.

Lord STERNDALE, M.R., having stated the facts up to the day of sale, and read conditions of sale 3 and 4, proceeded: The house had been in military occupation, and, as might be expected, was a good deal damaged. That was stated at the sale by the auctioneer, who said in his affidavit that, by reason of the state of repair of the property, he had reduced the reserve price from £10,000 to below £9,000, a fact which was, of course, unknown to intending purchasers. On 22nd August the vendor and the lessee came to an agreement, under which the lessee was to pay £2,060 in respect of the dilapidations. The money was claimed by the purchaser, and was placed to a special account in joint names. Sargant, J., had decided that it belonged to the vendor. It was argued that the fact that, after the sale, the vendor became a trustee for the purchaser, supported the contention that the money belonged to him. But the vendor answered that he had never become trustee for the purchaser of anything he did not sell to him. The question had been very well stated by Sargant, J., as follows: "The vendor does not dispute the general proposition at all, but he says, 'What was it that was sold?'. It was not the house subject to, and with the benefit of the lease which was existing at the date of the contract, but it was the house with possession, altogether apart from and independent of the lease." What the purchaser bought was the property with vacant possession. The lease was only mentioned in the particulars in order to shew that it came to an end on the day fixed for completion. It was not necessary to go through all the authorities. But his lordship's opinion was supported by that of North, J., in *Re Edie and Brown's Contract* (58 L. T. 307). The judgment below was right, and the appeal must be dismissed with costs.

WARRINGTON, L.J., delivered judgment to the same effect, observing that condition 4 was very carefully drawn, and was only appropriate to the sale of a fee simple in possession; and

YOUNGER, L.J., concurred.—COUNSEL, *Maugham*, K.C., *Rolt*, K.C., and *Farwell; Mark Romer*, K.C., and *Sheldon*. SOLICITORS, *Hutchinson & Cuff; Walters & Co.*

[Reported by H. LANGFORD LEWIS, Barrister-at-Law.]

High Court—Chancery Division.

MORTIMER *v.* BECKETT. Russell, J. 13th February.

CONTRACT OF SERVICE—INDEPENDENT NEGATIVE STIPULATION.

Where for certain considerations the defendant undertook by letter that the plaintiff should have the sole arrangements of matching him for all his boxing contests for seven years, and certain percentages in respect of purses thereon,

Held, (1) *that this was an agreement for personal services not containing any independent negative stipulation, and that an injunction could not be granted against the defendant restraining him from employing anyone else.*

Lumley *v.* Wagner (1 D. M. & G. 604) *applied.*

(2) *That the agreement lacked mutuality, and for that reason, too, an injunction ought not to be granted.*

This was a motion for an interim injunction to restrain the defendant from entering into or agreeing to enter into any boxing contest or making or carrying out any engagement as a professional boxer other than such contests and engagements which had been or should be arranged for him by or through the plaintiff. The plaintiff had assisted the defendant with his early training and expenses as a boxer since he was sixteen years of age, and on the 14th January, 1914, the defendant wrote the plaintiff the following letter:—"In consideration of the sum of 10s., and also in consideration of your many services rendered and to be rendered to me I undertake that you shall have the sole arrangements of matching me for all my boxing contests and engagements during the period of the next seven years," with certain other benefits therein set out. The letter was signed by the defendant and witnessed, and contained a statement that it had been read over and explained to the defendant. In 1919 the defendant declined to employ the plaintiff any more, and this action was accordingly brought. For the purposes of the motion, the agreement was treated as duly entered into, although this was an issue in the action.

RUSSELL, J., after stating the facts, said: The question is whether the document of 14th January, 1914, is of such a kind that the Court will grant an injunction to enforce it. It is an agreement for personal services, and *Lumley* v. *Wagner* (1 D. M. & G. 604) and *Whitwood Chemical Co.* v. *Hardwood* (1891, 2 Ch. 416) shew that the Court ought not to grant an injunction in respect of an agreement for personal services unless the agreement contains an independent negative stipulation that no one else shall be employed. *Davis* v. *Foreman* (1894, 3 Ch. 654) and *Kirchner & Co.* v. *Jenkin* (1909, 1 Ch. 413), which have also been referred to, only shew that an agreement which is negative in form may really be affirmative in substance. Here the contract is not negative in form, save so far as a negative stipulation can be inferred from the word "sole." There is, therefore, no independent negative stipulation to bring the case within *Lumley* v. *Wagner*, and no injunction ought to be granted. Another reason why I think I will be exercising a wise discretion in refusing an injunction is that the agreement lacks mutuality, it being impossible to point to any definite services that the plaintiff is bound to render.—COUNSEL, *Emanuel*, K.C., and *Northcote; Maugham*, K.C., and *Sheldon*. SOLICITORS, *Nicholls & Co.*, for *C. A. Emanuel & Emanuel*, Southampton; *Lowe & Co.*, for *A. H. Emanuel*, Southampton.

[Reported by LEONARD MAY, Barrister-at-Law.]

Court of Criminal Appeal.

REX *v.* GEORGE STANLEY. Earl of Reading, C.J., A. T. Lawrence and Shearman, JJ. 23rd February.

CRIMINAL LAW—HABITUAL CRIMINAL—SENTENCE—PROOF OF PREVIOUS CONVICTION OF BEING A HABITUAL CRIMINAL—PREVIOUS SENTENCE OF PREVENTIVE DETENTION—DISCRETION OF COURT AS TO SENTENCE OF PREVENTIVE DETENTION—PREVENTION OF CRIME ACT, 1908 (8 ED. 7, C. 59), S. 10, SUB-SECTIONS (1), (2).

The power given by section 10 of the Prevention of Crime Act, 1908, to pass a sentence of a term of preventive detention, after a sentence of penal servitude, where an offender is convicted as a habitual criminal, is discretionary. It does not follow that, once there has been a conviction as a habitual criminal, the Court must pass a sentence of preventive detention. Where an offender has been previously convicted and found to be a habitual criminal, and sentenced to a term of preventive detention, although the jury must find him guilty as a habitual criminal on proof of those facts, the Court may take into consideration the man's record during the interval since the previous conviction, and if, having regard to the man's conduct during that interval, the Court is of opinion that a sentence of preventive detention ought not to be passed, the Court is not bound to pass such a sentence.

Appeal against sentence. The appellant was convicted of breaking and entering a shop with intent to steal, and he was also convicted under the Prevention of Crime Act, 1908, of being a habitual criminal. He was sentenced to three years' penal servitude for shopbreaking and to five years' preventive detention as a habitual criminal. His last sentence, before the present crime, was in July, 1910, when he was convicted of a crime within the meaning of section 10 of the Prevention of Crime Act, 1908, and on that conviction he was found by the jury to be a habitual criminal, and was sentenced to five years' preventive detention. He was not released until September, 1916. He worked for a month after his discharge, which brought him to October, 1916, when he reported to the Central Association for the aid of Discharged Convicts, and enlisted in the Army. He served in France, suffered from trench fever, and was brought back to hospital in England. When he recovered he was transferred to the Royal Flying Corps, and he was demobilised in January, 1919. During all this time he communicated

regularly with the association, and in September, 1918, when he had been serving in the Army for two years, he was excused by the Secretary of State from making any further reports to the association, in view of his satisfactory conduct since his discharge. He was told of this, but, nevertheless, he continued in touch with the association; told them that he had been demobilised in January, 1919, and again told them in March, 1919, that he was registered at the employment exchange. He did not appear to have communicated with the association after that, but he communicated with them after he was excused from doing so. His character in the Army was very good. The offence of which he was now convicted was committed on 28th December, 1919, and the evidence was that the door of a lock-up fish shop was opened with a jemmy by him and another man, but nothing was stolen. The appellant being convicted on the charge of shopbreaking, he was then charged with being a habitual criminal on the ground that on 26th July, 1910, he was convicted of a crime within section 10 of the Prevention of Crime Act, 1908, and that on such conviction he was found by the jury to be a habitual criminal, and was then sentenced to five years' penal servitude. That conviction being proved, the jury, under the direction of the deputy chairman, who told them that they had no option in the case, found the appellant guilty of being a habitual criminal. The Prevention of Crime Act, 1908, s. 10, provides as follows:—Sub-section (1): "Where a person is convicted on indictment, of a crime committed after the passing of this Act, and subsequently the offender admits that he is, or is found by the jury to be, a habitual criminal, and the Court passes a sentence of penal servitude, the Court, if of opinion that by reason of his criminal habits and mode of life, it is expedient for the protection of the public that the offender should be kept in detention for a lengthened period of years, may pass a further sentence, ordering that after the expiration of the sentence of penal servitude, he be detained for such period, not exceeding ten, nor less than five years, as the Court may determine, and such detention is hereinafter referred to as preventive detention. . . ." Sub-section (2): "A person shall not be found to be a habitual criminal unless the jury finds, on evidence, (*a*) that since attaining the age of sixteen years, he has, at least three times previously to the conviction of the crime charged on the said indictment, been convicted of a crime, whether any such previous conviction was before or after the passing of this Act, and that he is leading persistently a dishonest or criminal life; or (*b*) that he has on such a previous conviction been found to be a habitual criminal, and sentenced to preventive detention."

Earl READING, C.J., in delivering the judgment of the Court, said: The first point to which attention is directed is as to the effect of section 10, sub-section 2 (*b*), of the Prevention of Crime Act, 1908. The Legislature, by that statute, gave power to the Court to pass sentence for a term of preventive detention of a period of not less than five years, nor exceeding ten years, in addition to penal servitude. By sub-section (2) it is enacted that a person should not be found to be a habitual criminal unless it was found on the evidence that he had been previously convicted three times before the conviction for the crime in respect of which he was then being tried, and—and this is important—that he was "leading persistently a dishonest or criminal life." Under sub-section (2) (*b*) there is an alternative, that is, "that he has, on such a previous conviction, been found to be a habitual criminal and sentenced to preventive detention." This Court has had to consider the meaning, from one point of view, of that sub-section, in *Rex* v. *William Davis* (1917, 2 K. B. 855), and also in *Rex* v. *Collins*, referred to in *Rex* v. *William Davis*, but appears to be unreported, and came to the conclusion that, although it was possible that the construction then placed by the Court might work hardship, nevertheless they were bound by what Parliament had done, and that if Parliament did not think that the Court was expressing the view intended by the Legislature, of course, that could be remedied by the Legislature. What the Court held in both those cases was that when there had been a previous conviction of a person as a habitual criminal, then, upon proof of that fact—that is, that he had been convicted as a habitual criminal within the meaning of the statute of 1908, and also that he had been sentenced to preventive detention—then the jury shall find him guilty. That is, we think, the true meaning. The conclusion to which we have come to is that Sankey, J.'s, view—not expressed but indicated—in *Rex* v. *William Davis* (*supra*), is the right view, and that once the previous conviction has been proved—and it also has been proved that the person indicted has been sentenced to preventive detention—that is all that need be proved, and the conviction as a habitual criminal follows. But that does not dispose of the matter, because the conviction as a habitual criminal is only of importance for the purpose of enabling the Court to sentence the man to a term of preventive detention. It becomes necessary to see whether, when a man is properly convicted of being a habitual criminal, as the appellant was, the Court is bound to pass a sentence of preventive detention. In view of the record of the prisoner, the Court felt bound, having regard to the observations made in *Rex* v. *William Davis* (*supra*), to pass a sentence of preventive detention, having passed a sentence of penal servitude. I will not go through or enumerate the record of the appellant; it is sufficient to say that he had been convicted of being a habitual criminal before; he was charged with an offence in this case, and before he was charged, in this case, with being a habitual criminal, he became amenable to the jurisdiction of the Court, and the Court could, if it thought fit, sentence him to a term of five years' preventive detention. In my view, once there has been a conviction as a habitual criminal, it does not follow that the Court must pass a sentence of preventive detention. The Court has a discretion. The language of section 10 of the Act of 1908 shews that there must be a sentence of penal servitude passed, and then, if the Court is of opinion that, by reason of his criminal habits and mode of life, it is expedient for the protection of the public that the offender should be kept in detention for a lengthened period of years, it may—observe, not shall—pass a further sentence ordering that, after the expiration of the sentence of penal servitude, a sentence of preventive detention may have to be served. That gives the Court a discretion. We desire to say that, in our view, although we agree entirely with *Rex* v. *Davis* (*supra*) and *Rex* v. *Collins* (unreported), neither of those decisions stated, nor is it the law, in our opinion, that the Court must pass a sentence of preventive detention. In the circumstances of this case, taking into account the life which the appellant has lived since he came out of penal servitude, and, in particular his record in the Army, where he appears to have earned a very good character, and has done his best to redeem his past, and to acquit himself well at the time of national emergency, we think he ought not to have been sentenced to a term of preventive detention, and the sentence of five years' detention will be quashed. With regard to the sentence of three years' penal servitude, we have come to the conclusion that, having regard to this man's record since he left punishment for past offences, that sentence was too severe, and it will be reduced to twelve months' imprisonment with hard labour. Sentence reduced.—COUNSEL, *A. P. Poley*, for the Crown. SOLICITOR, for the Crown, *Director of Public Prosecutions*.

[Reported by T. W. MORGAN, Barrister-at-Law.]

New Orders, &c.

Treasury Order.

ACQUISITION OF LAND (ASSESSMENT OF COMPENSATION) FEES RULES, 1920.

In pursuance of sub-section (6) of section three of the Acquisition of Land (Assessment of Compensation) Act, 1919, the Lords Commissioners of His Majesty's Treasury hereby make the following rules:—

1.—(1) These rules may be cited as the Acquisition of Land (Assessment of Compensation) Fees Rules, 1920.

(2) In these rules the expression "the Act" means the Acquisition of Land (Assessment of Compensation) Act, 1919.

2. On every application for the selection of an arbitrator made in accordance with the rules made under the Act by the Reference Committee there shall be paid the fee of £1.

3.—(1) On an award by an official arbitrator under the Act there shall be paid a fee calculated by reference to the amount awarded to the claimant in accordance with the following scale:—

Scale of Fees on Awards

Amount awarded.	Amount of fee.
	£ s.
Not exceeding £200	5 5
Exceeding £200 but not exceeding £500	5 5 with an addition of £1 1s. in respect of every £50 or part of £50 by which the amount awarded exceeds £200.
Exceeding £500 but not exceeding £1,000	11 11 with an addition of £1 1s. in respect of every £100 or part of £100 by which the amount awarded exceeds £500.
Exceeding £1,000	16 16 with an addition of £1 1s. in respect of every £200 or part of £200 by which the amount awarded exceeds £1,000, but not exceeding in any case £105.

(2) In addition to the fee payable under the scale aforesaid, there shall, where the hearing before the arbitrator in respect of any claim or matter referred to him occupies more than one day, be paid for each day or part of a day after the first day a further fee on the following scale:—

Amount awarded.	Amount of fee.
	£ s.
Not exceeding £500	5 5
Exceeding £500 and not exceeding £5,000	10 10
Exceeding £5,000 and not exceeding £20,000 ...	21 0
Exceeding £20,000	42 0

For the purpose of the foregoing provision any time spent by the arbitrator in viewing any land which is the subject-matter of the proceedings before him shall be treated as part of the hearing.

A-day shall be taken to be a working period of five hours.
Dated February 24, 1920.

JAMES PARKER.
J. TOWYN JONES.
Two of the Lords Commissioners of His Majesty's Treasury.

NOTE.—The fees prescribed in the above scale are in addition to the stamp duty charged on awards by the Stamp Act, 1891.

Board of Trade Order.

PATENTS AND DESIGNS RULES.

The Board of Trade hereby give notice, that by virtue of the provisions of the Patents and Designs Acts, 1907 and 1919 (7 Edw. 7, ch. 29, and 9 & 10 Geo. 5, ch. 80), they have made the following Rules :—

The Patents Rules, 1920, dated 25th February, 1920. Statutory Rules and Orders, 1920, No. 336; and

The Designs Rules, 1920, dated 14th February, 1920. Statutory Rules and Orders, 1920, No. 337.

8th March. [*Gazette*, 9th March.

Ministry of Health Order.

ASSISTANCE TO DESTITUTE ALIENS.

DEPENDANTS OF RUSSIANS.

A circular letter, dated 9th March, has been issued by the Ministry of Health to Boards of Guardians referring to the Circular Letter of 22nd December last, with regard to the relief of destitute aliens, and stating that after the repayments have been made on account of assistance given during the present quarter to the British-born wives of repatriated aliens and to the dependants of Russians, no further payments will be made to Boards of Guardians from Government funds in respect of assistance given to destitute aliens.

A special Committee has been constituted for the purpose of assisting Russian Dependants. This Committee, which will be designated the "Russian Dependants' Committee," comprises representatives of the Jewish Board of Guardians, the Jewish Refugees' Committee, the Lithuanian Colony in London, and other bodies. In the case of areas distant from London the Committee will arrange, if necessary, to administer assistance through local agencies. The secretary of the Committee is Mr. A. Munday, and his address is 82, Leman-street, London, E. 1.

The Minister desires to take this opportunity of expressing his thanks to Boards of Guardians and their officers for the services they have rendered in administering allowances, and his appreciation of the care and attention which they have given to the work.

Ministry of Food Orders.

THE FLOUR (RETURNS) ORDER, 1920.

1. A miller, licensed factor or other dealer in flour shall not deliver any flour to any person for the purposes of any business, except in each case upon receipt of a return on the official Form B 12 or such other form as may from time to time be prescribed by or under the authority of the Food Controller duly completed and signed by the person requiring the flour.

2. A person shall not purchase or take delivery of any flour for the purposes of any business, except in each case upon completion of an accurate return in the form prescribed by or under Clause 1 and delivery of the same duly signed by him to the person supplying the flour.

3. Any return or returns delivered under this Order shall be disposed of by the person receiving the same in accordance with such directions as may from time to time be given by the Food Controller or the Flour Mills Control Committee.

4. For the purposes of this Order :—

"Flour" means any wheatmeal or wheaten flour or any flour containing flour milled from wheat.

5. A person shall not knowingly make or connive at the making of any false or misleading statement in any return under this Order, or deliver any flour where he has reason to believe that the return is inaccurate.

6. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

7. This Order may be cited as the Flour (Returns) Order, 1920, and shall come into force on the 28th February, 1920.

14th February.

THE CHEESE (LABELLING) ORDER, 1920.

1. (*a*) A person shall not offer or expose for sale by retail any cheese unless such cheese bears in a conspicuous position at the time of offer or exposure for sale a label or ticket with the price per lb. at which such cheese is for sale clearly printed or written thereon in plain words or figures, so as to be easily readable by the customers.

(*b*) A person shall not sell or offer to sell by retail any cheese at a price higher than the price shown on the label or ticket so displayed.

2. For the purposes of this Order the expression "cheese" shall include any cheese which is made wholly or in part from milk or cream, but shall not include any fancy or grating variety.

3. This Order shall not apply to a sale of cheese by a caterer as part of a meal in the ordinary course of his catering business.

4. Infringements of this Order are summary offences against the Defence of the Realm Regulations.

5. (*a*) This Order may be cited as The Cheese (Labelling) Order, 1920.

(*b*) This Order shall come into force on the 1st March, 1920, and shall not apply to Ireland.

17th February.

Societies.

The Law Society.

LECTURE.

A lecture will be delivered by Sir Mackenzie D. Chalmers, K.C.B. (formerly Parliamentary Counsel to the Treasury and Legal Member of the Viceroy's Council of India), on "The Drafting and Passing of Acts of Parliament," at the Society's Hall, on Monday, the 15th March, at 5 p.m. It is hoped that members of the society will note the day and time, and attend, if possible; *also that all articled clerks will make a point of attending.* As regards non-members, admission will be by ticket, which the secretary will be happy to forward free on application.

Sheffield District Incorporated Law Society.

At the forty-fifth annual general meeting of the Sheffield District Incorporated Law Society, held in the Rooms, Hoole's Chambers, Bank-street, Sheffield, on Thursday, 26th February, 1920, at 3.30 o'clock p.m., present :—Mr. P. K. Wake (in the chair) and Messrs. H. Auty, J. C. Auty, E. G. Bagshawe, Spencer Baker (Doncaster), Jonathan Barber, S. U. Blackburn, C. W. Clegg, J. C. Clegg, W. J. Clark (Rotherham), C. S. Coombe, J. H. Davidson, Geo. Denton, F. B. Dingle, W. E. Dyson, L. E. Emmet, T. W. Hall, R. Hargreaves, W. Hiller, W. A. Lambert, F. Ludlam, R. Meeke, J. D. Pryce, H. Reed, S. B. Roberts, J. P. Russell, G. E. Smith, T. H. Warskett, Ernest Wilson and Edward Bramley (hon. secretary).

The notice convening the meeting and the committee's report, as printed and circulated, having been taken as read, it was resolved :—

1. That the forty-fifth annual report presented by the committee be received, confirmed and adopted, and that the accounts of Mr. Arthur Wightman, the hon. treasurer, for the past year, as audited by the society's professional auditor, be approved and passed.

2. That the cordial thanks and appreciation of the society be offered to Mr. William Irons, the president, for the ability with which he has filled the office, and the consideration he has given to his duties during the past year.

3. That the best thanks of the society be given to Mr. Edward Bramley for his services as hon. secretary, and Mr. Arthur Wightman for his services as hon. treasurer, during the past year.

4. That Mr. J. Proctor Russell be elected the president of the society.

5. That Mr. Albert Howe be elected the vice-president.

6. That Mr. Philip K. Wake be elected hon. treasurer, and Mr. Edward Bramley re-elected hon. secretary, and Mr. C. S. Coombe elected as joint hon. secretary of the society for the ensuing year.

7. That the following form the committee for the ensuing year :—Messrs. F. Allen (Doncaster), H. S. Barker, H. Bedford, S. H. Clay, L. J. Clegg, C. S. Coombe, Geo. Denton, L. E. Emmet, A. S. Fawcett, C. L. des Forges (Rotherham), Chas. Hodgkinson (Penistone), Wm. Irons, A. E. C. Ludlam, H. Reed, H. B. Sandford, W. M. Smith, J. B. Wheat, B. A. Wightman, Cyril Wilson, Ernest Wilson, J. E. Wing.

The following are extracts from the report of the committee for 1919 :—

The War.—The committee are extremely glad to record the return of more normal and peaceful conditions, and particularly that the heavy mortality which the war had caused in the ranks of the profession in this district has come to an end. In view of the practical, if not technical, termination of the war, a smoking concert was held on 10th July last, and the Lord Mayor of Sheffield, the president of the society, Mr. Wm. Irons, took the chair. A hearty welcome back was extended to all members of the profession and all law clerks from this district who had been serving in His Majesty's Forces.

On 13th November a memorial tablet, in copper, which had been erected over the principal mantelpiece in the society's library, containing the names of all those who had lost their lives in their country's service, was unveiled by the president; also two records of services, in other parts of the library, one containing a list of all the solicitors and articled clerks in the district, and the second of all lawyers' clerks in the district, so far as could be ascertained, who had served. A copy of the first-named list will be found set out in Appendix I. of this report. A great deal of trouble was taken to get the tablet and records as full and correct as possible, but it has not been practicable to be certain of their entire accuracy, and the committee wish, in advance, to express regret for any omissions or errors that may have occurred.

Accounts were sent round in connection with the District War Memorial Fund, which shewed, including a little bank interest, that £381 1s. 11d. in all was collected, of which all but £50 was expended. This £50 has, by a resolution of the members of the society, been set on one side for the present to meet any case of hardship among local solicitors or clerks or their dependents. None have been heard of up to now.

Solicitors' National War Memorial Fund.—An appeal was sent out by the Law Society to all the solicitors in England to form a Benevolent Fund for the relief of cases of hardship that had occurred owing to the war among members of the profession or their dependents.

The committee organised a canvass of the solicitors in this district, and personal calls were made—as a rule by two members at a time—on the greater number of them.

The result was very gratifying, no less a sum than £2,030 5s. having been remitted to the Law Society as the aggregate of the total subscriptions from this district (including two sent direct by members). The total fund has now reached the sum of about £40,000. Particulars of the local subscriptions to this fund have already been circulated.

The committee rather suggested that the fund should be administered by the Solicitors' Benevolent Association, but as a matter of fact its management has been handed over to *ad hoc* trustees, with the idea that any balance remaining over after its objects have been satisfied shall ultimately be handed to the Solicitors' Benevolent Association. £5,000 has already been distributed in grants.

Membership.—The number of members now is 185. The committee regret to record the deaths of Mr. Reginald Bury, the oldest practising solicitor in Barnsley, who had been county court registrar there for over fifty years; and of Messrs. A. B. Chambers, Wm. Dust, and Dossey Wightman, ex-coroner of the district and an ex-president of the society.

The committee also very much regret the retirement from the profession, which he has adorned for nearly fifty-five years, of Mr. Arthur Wightman, of Messrs. Broomhead, Wightman, & Moore, who represented the society for many years on the Council of the Law Society, who is one of their past presidents, and who for many years has been the society's hon. treasurer. A letter was sent to him wishing him, on behalf of the society, many years of well-earned and pleasurable retirement.

Legal Education.—The number of students in the faculty of law at the University of Sheffield during the present session, apart from evening students, is seventeen, of whom eleven are articled clerks and one a barrister; and some of them are reading for a law degree. Some evening classes have been started, which are intended to be helpful to young solitors who have been serving for some years with H.M. Forces, and are momentarily out of touch with legal principles, and also those lawyers' clerks who desire to have a better theoretical acquaintance with their subject. The Law Society inquired the views of your committee as to whether it should be made compulsory for every articled clerk to attend courses of legal instruction during his articles. The committee's reply, in favour of this plan, will be found in Appendix III.

Professional Trustees.—The committee made a suggestion that endeavours should be made to get the law altered, so as to allow a professional trustee to charge for his services, without any direction to that effect in the trust instrument. There is an increasing tendency for trusteeships to be treated more as matters of business, and it was thought that it should be always open to appoint solicitors, bankers, accountants and other suitable people either on the formation of the trust or subsequently, without any necessity for any special clause as to charges. A similar principle was admitted in the case of the Mortgagees Legal Costs Act, 1895. The Council of the Law Society, however, were not prepared to recommend that any steps should be taken in the matter, and the committee did not pursue it.

Public Trustee.—A report of the Commission appointed to consider the administration of the Public Trustee's Department shews that the majority of them recommend considerable changes and a very marked increase of fees. This has been done in view of the fact that in 1918 a loss of over £50,000 was incurred by the office, and in 1919 it is anticipated that it will be at least doubled, whereas the Department ought to be self-supporting. In view of suggestions that we made to the committee that the Manchester Deputy Public Trustee was being given a certain amount of jurisdiction in cases in the Sheffield district, and that that was not usually desirable, the committee passed the following resolution :—"That the Public Trustee be requested, before delegating to any provincial Deputy Public Trustee any of his powers or duties relating to any trust connected with any other provincial district than the immediate area of such Deputy, to obtain the consent of either (1) the trustees or executors or (2) his co-trustees or co-executors (as the case may be)." This was submitted at a meeting of the Associated Provincial Law Societies held on 25th July last, and passed and communicated to the Public Trustee. It is understood that that gentleman signified that his practice was and would be in accordance with that principle.

Law Clerks' Salaries.—A local branch of the National Federation of Law Clerks was formed early in the year called the Sheffield and District Law Clerks' Society, to whom the committee allowed the use of their rooms for meetings. In October last a lengthy communication was received from their secretary, drawing attention to the unsatisfactory financial position of law clerks, and contrasting it with those of other clerks and certain other workers, and suggesting a scale of minimum salaries. The question was referred to a sub-committee, they met several times, both with representatives of the Law Clerks' Society and by themselves, and went very carefully into the whole matter, with the result that the committee made certain recommendations as to a scale to their members at a general meeting, which, with a slight addition, were agreed to. The scale, as agreed to, will be found set out in Appendix IV. The committee, in sending it round to members, pointed out that the bare cost of living was now very high, and pressed heavily on all clerks, the present purchasing power of £4 a week not being as much as one of £2 a week in pre-war days, and expressed the feeling that members would give immediate attention to carrying out the agreed scale, and give generous effect to the committee's recommendations.

Costs.—The committee from time to time have had under discussion the very heavy increases in working expenses, and the consequent necessity for getting an increased scale of charges in operation. They have pressed the Law Society to get the matter settled expeditiously, but that body, though no doubt handicapped by circumstances beyond their control, have been a very long time in succeeding in getting any appreciable result. Ultimately, as all members are aware, an Order was made, which became effective on 17th January, 1920, adding 33⅓ per cent. on to all conveyancing charges not covered under Schedule I. of the Solicitors' Remuneration Order. This has been, or is being, extended to every other branch of legal costs (except those under Schedule I.). A 50 per cent. increase had been asked for, which was a very reasonable one, in view of the fact that office expenses must have roughly about doubled; and it seems unfortunate that the authorities did not grant this very proper request. The authorities, in their wish to protect the public, have hardly been fair to solicitors and their highly-trained staffs, and have made it by no means easy for the latter to be paid in a manner commensurate with their abilities and the circumstances of the present day. It is interesting to know that in the neighbouring county of Derby the solicitors have pledged themselves to always charge full Schedule I., except under exceptional circumstances, which are to be reported to the committee.

Fees on Notices of Assignments of Leases.—A resolution was passed by the committee on 24th November, 1882, that the fees on notices of assignments should be 6s. 8d. if a solicitor accepts service of the notice, and 10s. 6d. if the lessor's solicitor is required to get the lessor's acknowledgment. On 3rd November, 1904, the then committee decided

that they considered this resolution as meaning that in all cases where no special fee is mentioned in the lease itself, the fees mentioned above apply. They further considered that one fee should be paid in respect of every lease to which any particular assignment refers, and if more than one assignment be comprised in a notice a fee should be payable in respect of each assignment. On 4th February, 1920, the committee decided that, in view of the altered circumstances, the above fees should be raised to 10s. 6d. and 15s. respectively.

Miscellaneous.—There is no articled clerk in this district who has qualified for the society's prize by obtaining first or second class honours in 1919, and it was not awarded. The committee decided that, as from the beginning of this year, the rate of interest to be charged on purchase money not paid by the date fixed for completion shall be 6 per cent., and that this shall be deemed to be inserted in the society's conditions of sale; these latter are at present under review. In response to an inquiry from a member the committee passed a resolution to the effect that in apportioning rates the calculations should be made from the beginning of the period covered by the rate and not from the date of the levy. The committee realised that it would be a convenience to members if the trust deeds of, at any rate, the more important land societies, could be lodged at a bank or some suitable place, open to inspection at a small fee, and a circular was sent out asking members to do what they could to facilitate this, and to communicate with the secretary. No such communications have yet come to hand.

APPENDIX I contains a list of solicitors and articled clerks in the Sheffield district who have served in His Majesty's Forces. The solicitors number 115, of whom twenty-eight were killed and four died on service; and the articled clerks number forty-nine, of whom ten were killed and two died on service.

APPENDIX IV.

Law Clerks' Salaries.

13th November, 1919.

Recommendations of the committee of the Sheffield District Incorporated Law Society on the communication of the Sheffield and District Law Clerks' Society, as to the rates of minimum salaries payable to law clerks in the Sheffield district, as adopted by the members of the Law Society at a meeting held on 13th November, 1919.

1. The proposed scale at the age of twenty or over only to apply to clerks who have been trained for at least four years in law offices. Otherwise the junior clerks' scale suggested by the Clerks' Society should be accepted for males with the slight alterations that at eighteen and nineteen the rates should be £58 10s. and £65 respectively, instead of as stated.

2. A flat rate allowance for war bonus up to the end of 1920 to be made for junior clerks over seventeen up to and including the age of twenty of £13 a year and from twenty-one to twenty-five inclusive £26 a year.

3. The scale not to apply to females at all.

4. For clerks aged twenty-six £156 per annum is agreed to, and in addition a bonus until 31st December, 1920, to clerks between the ages of twenty-six and thirty, commencing at £32 at the age of twenty-six and rising according to age by £5 per year to £52 at the age of thirty, making a total of salary plus bonus at the present time of £188 at the age of twenty-six and £208 at the age of thirty as a minimum, whatever the clerk's position may be. The bonus to be reconsidered at the end of 1920.

5. In the case of clerks over thirty that they be given by way of bonus until 31st December, 1920, an addition of £52 a year to their pre-war salaries, or 25 per cent. advance, whichever be the greater.

6. No scale is laid down with the exception of the above, but arrangements made to be according to merit.

7. It is recognized that there may be very exceptional cases where the scale is not applicable.

8. This arrangement to date back to 1st July, except in the case of members of the society who have been approximating to these figures.

9. Members are also to be asked to remember that the increased cost of living is pressing heavily on their clerks, and that the calling of solicitors' clerks must be made reasonably attractive if recruits are to be obtained and clerks retained; and members therefore should be as generous as possible under the circumstances in dealing with the higher ranks.

10. The committee are in entire sympathy with the idea that law clerks ought to be placed in a position of reasonable comfort so far as finance is concerned, and they would certainly strongly recommend the members of their society to recognize ability, and further to discuss from time to time with the senior members of their staffs the question of recognition of ability.

The Scale will be as follows:—

Age 17	£62	and War Bonus of £13
18	£58/10/-	" "
19	£65	" "
20	£78	" "
21	£91	" " of £26
22	£104	" "
23	£117	" "
24	£130	" "
25	£143	" "
26	£156 and War Bonus of £32, rising by £5 a year to £52 at 30.	

Law Association.

The usual monthly meeting of directors was held at the Law Society's Hall on Thursday, the 4th inst., Mr. P. E. Marshall in the chair. The other directors present were: Mr. T. H. Gardiner (treasurer), Mr. E. E. Bird, Mr. H. B. Curwen, Mr. A. E. Pridham, Mr. J. E. W. Rider, Mr. W. M. Woodhouse, and the secretary, Mr. E. E. Barron. A sum of £105 was voted in relief. Two new members were elected, and other general business transacted.

The Profiteering Act.

Complaints Tribunal of the Central Committee.

We have received a copy of the following judgment of Mr. Marshall-Freeman, barrister-at-law, chairman of the Central Profiteering Tribunal, which sat on the 12th ult. to hear the case of *Morris* v. *Gause*, relating to a complaint of an overcharge for a barrel of vinegar.

The complainant had been previously summoned under the Sale of Food and Drugs Act for selling vinegar which, on analysis by the Shoreditch Public Analyst, was shewn to contain 53 per cent. of excessive water. The magistrate of Old-street Police Court accepted the complainant's defence, but adjourned the case for an investigation to be made under the Profiteering Act into the respondent's profit, as, under the Sale of Food and Drugs Act, he could not be brought into the police-court proceedings.

The chairman, in giving the decision of the tribunal, said that they accepted the evidence given by the complainant, and did not accept that given by the respondent and his son. The case itself was a small one, but technically it came within the description of a wholesale transaction. The tribunal were of opinion that an amply reasonable price to charge for this barrel of so-called vinegar would have been 4s., putting quite a liberal interpretation upon the transaction from the financial point of view. The tribunal ordered, therefore, that the respondent should refund 2s. 3d. In the opinion of the tribunal, this transaction, although a small one as between the complainant and the respondent, was one of widespread public importance. They had it in evidence that instead of the public, particularly in poor districts, getting vinegar—by which the ordinary individual would suppose he was getting malt vinegar which had been brewed from grain, and which contained all the aromatic and desirable properties which gave such vinegar its particular flavour—a habit had grown up which apparently the Local Government Board and the courts of justice were powerless at the moment to deal with. They found that, whereas in the process of brewing malt vinegar a certain amount of acetic acid was necessarily pro-

duced, it was possible, by getting crude commercial acetic acid, which was very cheap, and diluting that liberally with water and adding a little caramel, an article was produced which an ordinary person, particularly amongst the poor, would not very readily distinguish from pure malt or brewed vinegar. In the present matter the tribunal had before them two reports made by experts connected with the Local Government Board. They knew from the evidence that in the case of the genuine article, malt vinegar, there were three recognized qualities. That which was called No. 16 contained about 4 per cent. of acetic acid, produced during the process of fermentation and distillation. This No. 16 quality had been adopted, and the tribunal thought rightly adopted, by the Local Government Board experts as a suitable standard for all the usual domestic purposes for which vinegar was required. The No. 12 quality could easily be produced by adding water, while, on the other hand, the No. 24 quality could be produced by adding a little acetic acid to make it stronger. The tribunal, however, desired to express the opinion that the Local Government Board were right in assuming that the ordinary No. 16 quality should be the standard vinegar. They thought it greatly to be regretted, and to the detriment of the public—because it opened the door to extensive and systematic fraud—that the sale of this vinegar substitute about the country, whether by wholesalers or by retailers, should be allowed without the purchaser being clearly given to understand that what he was getting was not malt vinegar at all, but merely acetic acid (which could be bought before the war at 4d. per lb., and now cost 9d.), with the addition of water and a very little caramel. The tribunal knew the difficulty that there was no statutory provision at the present time by which a standard could be set up and insisted upon in the case of vinegar, though there was in the case of milk. That question had been often debated, and the tribunal desired to express their opinion that the time had come when further statutory powers in this direction should be provided, and that the case of vinegar was typical of articles the sale of which might tend to gross fraud on the public, and in particular on the poorer classes of the community. They suggested that, whether the sale of this diluted and coloured acetic acid was legal or not, it at all events should be made illegal for anyone to sell it without giving the purchaser clearly to understand that it was not vinegar in the sense of brewed or malt vinegar, but that it was a cheap substitute not possessing the aromatic and other beneficial qualities of pure malt vinegar.

The order of the tribunal in this case would be that the respondent do refund the sum of 2s. 3d. to the complainant.

A Welcome to the Woman Lawyer.

Major J. W. Hills gave a dinner at the House of Commons on Monday night to celebrate the passing of the Sex Disqualification (Removal) Act. Among those present, says the *Times*, were the Lord Chancellor, the Lord Chief Justice, Lord Haldane, the Attorney-General, the Solicitor-General, Mr. W. A. Sharpe (president of the Law Society), Mr. T. Liddle (president of the Society of Scottish Solicitors), Sir H. Duke, Sir L. Worthington-Evans, Sir John Beale, Mr. Cecil Chapman, the Countess of Selborne, Viscountess Rhondda, Lady Emmott, Lady Fabian Ware, Mr. Leslie Scott, K.C., Mrs. Henry Fawcett, and Mrs. Oliver Strachey.

Major Hills, in proposing the health of the Lord Chancellor, said that the Law Society, once it gave way, yielded handsomely and granted not only free entrance to women, but equality of pay. They hoped that a large number of university women would adopt the law as a profession. There might be some difficulty in persuading fathers to provide the means for their daughters to read for the profession, and so they hoped to create a fund which would finance these young women in their law student's career, which they could repay as soon as they began to earn money. If that was done, he hoped that they would have a large accession of the best brains and best characters in the country in the noble calling of the law.

Lord Birkenhead, in reply, justified the part he had taken with regard to women's demand for the franchise in the past, but said that the question of the admission of women to the legal profession stood on an entirely different basis, and eight years ago he said in the House of Commons that he was in favour of women being admitted to the legal profession. He did not know what degree of success women would meet with at the Bar. He hoped that it would be very great, for he no longer practised himself. He had been spending a considerable part of the last six months in attempting to persuade his own daughter to go to the Bar, but she resolutely refused at present, pleading that there was a swifter and easier success in life in the *rôle* of a "movie artist." But she was still young.

It was a most anxious and uncertain profession, and those to whom success came in a degree by their own merit, in a degree by good fortune, and in a degree by chance, were always acutely conscious of the many stages in which their own career might easily have completely failed. He had no doubt that there were functions which could be discharged profitably to themselves and profitably to the community by women, and if they were successful in producing the highest intellectual triumphs he had no hesitation in saying that women would receive adequate reward.

He had taken some steps to see that they would receive fair play. Some people thought that male juries might be prejudiced against female advocates, though he had always taken the other view, and in consultation with the Lord Chief Justice he introduced a clause into the Bill which obliged women to serve on juries. If women failed in the practice of the law, it would not be because they did not receive fair play from their colleagues or consideration and kindness from those who sat on the Bench. Women were going to sail uncharted seas, but he believed that the omens were propitious, and they owed a great debt of gratitude to those who fought the great battle in the days when victory must have seemed even more remote than victory seemed during the most critical moments of the Great War.

Mrs. Thompson, proposing the toast of "The Bar," said that there were at present only about twenty women who hoped soon to become members of the profession.

The Attorney-General, in reply, said that he could never understand why anyone should be deprived of any rights simply because she had the good fortune to be a woman.

Miss MacMillan also replied, in the absence of the Lord Advocate.

Miss L. F. Nettlefold gave the toast of "The Solicitors and Writers to the Signet."

Mr. Liddle, president of the Scottish Law Society, in reply, said that only eight women at present had sought to enter his branch of the profession. Fathers were applying that their daughters should be admitted as articled clerks and in many cases it was where men, having no sons, wished their daughters to continue their practice.

The Lord Chief Justice, in proposing the toast of "The Committee," said that speaking for the Bench and the profession, he was delighted that the women had joined them. He was afraid that by the time one of them became a judge he would be too old to welcome her, but he would do his best to remain Lord Chief Justice in order to do so. There never had been any reason why women should not be good judges or advocates, and the fact that women made good magistrates was beyond question. He looked forward to women conducting cases before him. He hoped it would not be very long, though it must be at least three years. No one could be successful at the Bar without application, and the work made very great demands upon physical capacity, but he believed that women, having made up their minds to succeed, would disdain any devious paths, and would act up to the best traditions of the profession. They would do their utmost to succeed, and no obstacles would be allowed to stand in the way, and that spirit would ensure success for women in the profession of the law.

Mrs. Oliver Strachey replied.

Oxford and Cambridge Commission.

The following notice has been issued by the Royal Commission on Oxford and Cambridge Universities:—

"The Commissioners desire to give notice that, as they will probably find it necessary to restrict the hearing of oral evidence to representative witnesses, all persons who desire to make suggestions to the Commission on matters falling within the terms of reference should submit their proposals in the first instance in the form of a written memorandum. Memoranda should be in triplicate, and should be forwarded to the Secretary, at 22, Carlisle-place, S.W. 1, if possible before the middle of April next.

"The Commission are required by their terms of reference to 'consider the applications which have been made by the universities for financial assistance from the State, and for this purpose to inquire into the financial resources of the universities and of the colleges and halls therein, into the administration and application of those resources, into the government of the universities, and into the relations of the colleges and halls to the universities and to each other, and to make recommendations.'"

Pay of Panel Doctors.

In the House of Commons, on Monday, in answer to Sir P. Magnus, Dr. Addison, Minister of Health, said: The arbitrators have found that the sum of 11s. per insured person to be made available to provide payment for medical men under the National Health Insurance Service scheme is a sum which should properly be paid to them. After careful consideration, in view of the promise made during the war that the amount available for payment to medical men should be increased, and in view of the improved conditions of service required to be rendered under the new medical benefit regulations, the Government proposed that, apart from the special arrangement for mileage and the administration of drugs, the amount of 11s. per insured person should be made available for this purpose. The Insurance Acts Committee (representing the Conference of Local Medical and Panel Committees throughout the country), were unable to accept this offer, and pressed the Government to provide a sum of 13s. 6d. After prolonged and friendly negotiations, it was ultimately agreed that the matter should be referred to arbitration, and Mr. W. F. Gore Browne, K.C., Sir Richard V. Vassar-Smith, and Dr. J. C. Stamp were agreed upon as arbitrators, the Government on its side undertaking to recommend Parliament to give effect to the findings of the arbitrators, and the Insurance Acts Committee on their part undertaking that they and the panel committees would co-operate in securing from the practitioners throughout the country a full and efficient service, with good will, under the settlement as a whole, including the terms of the award. After a full hearing of the case on both sides, the arbitrators find that the

offer which I proposed on behalf of the Government was a fair and adequate offer; and proposals will accordingly be submitted to Parliament in due course to give effect to this finding. I may say that the utmost good will exists on both sides, and a sincere appreciation of the impartiality and service of the arbitrators.

The question referred to the arbitrators by the Ministry of Health and the Insurance Acts Committee of the British Medical Association was, "What should be the amount of the capitation fee (per insured person per annum) on the basis of which the Central Practitioners Fund, under Article 19 (i.) of the Medical Benefit Regulations, 1920, should be calculated so as to afford fair remuneration for the time and services required to be given by general practitioners under the conditions set out in those regulations, in connection with the medical attendance and treatment of insured persons," taking note of the agreement that "the capitation fee is not to include any payment in respect of the supply of drugs and appliances (such payments being met out of the Drug Fund under Article 22), nor any payments to meet those special conditions of practice in rural and semi-rural areas which are covered by the payments to be made out of the Central Mileage Fund under Article 19 (ii.)."

Obituary.

Master Alexander.

Mr. HENRY R. T. ALEXANDER, Senior Master in the Supreme Court Taxing Office, died on the 11th February. Born on 24th October, 1841, he was the son of Mr. H. Alexander, surgeon oculist, of 6, Cork-street, W., and entered Mr. Middlemist's house at Harrow in September, 1854. He was a member of the Harrow XI. in 1860, and captain in 1861, and also a member of the football XI. He went to Trinity College, Cambridge, and took his degree in 1864. After serving his articles with the late George Lake, of New-square, he was admitted as a solicitor in Trinity Term, 1868. He was for some years in partnership with Mr. Thomas Hewitt, and afterwards with Mr. Harratt, of 27, Ely-place. He was appointed a Chancery Taxing Master in December, 1896, having for a short time previously been a chief clerk in Mr. Justice North's chambers. He became Senior Master on the retirement of Sir William Baker in 1918.

Legal News.

Appointments.

Master WHITEHEAD has been selected by the Lord Chancellor to be Senior Taxing Master in the place of Master Alexander, who died on 11th February.

Sir THOMAS WILLES CHITTY has been appointed Senior Master of the Supreme Court and King's Remembrancer, in succession to Sir John Macdonell, K.C.B., who recently retired.

Mr. THOMAS BERNARD HESLOP, of Barnard Castle, a member of the firm of Messrs. Heslop & York, has been appointed a Commissioner for Oaths. Mr. Heslop was admitted in November, 1913.

Mr. HENRY MONCASTER HILBERY, who was admitted in 1899, and has for many years been the senior partner of the firm of Henry Hilbery and Son, of 4, South-square, Gray's Inn, London, was appointed the official solicitor for the Belgian Embassy in July last and he is also the official solicitor for the Belgian Chamber of Commerce in London. In May, 1919, he was created the Chevalier of the Order of the Crown of Belgium, and he has now received licence from the King to wear the Cross of Chevalier of the Belgian Order of the Crown. During the war Mr. H. Moncaster Hilbery acted as honorary solicitor for the Belgian Red Cross in London, and he was also President of L'Exposition d'Art Belge.

General.

University College, Reading, has resolved to petition the Crown for the grant of a charter conferring upon it the status and powers of an independent university under the title of the University of Reading.

Mr. Charles William Swainston Goodger, of Beechwood, Graham Park-road, Gosforth, and of Messrs. Cooper & Goodger, solicitors, of Market-street, Newcastle, a former President of the Newcastle Law Society, and a specialist on mining law, left estate of gross value of £49,101.

Having heard the evidence at the Thames Police Court, on Wednesday, against a man charged with being drunk, the magistrate, Mr. Booth, said: "You had whisky, brandy, rum and beer. That is the credit side. The debit side is a bad headache and the loss of £14 and two railway passes. I think, balancing the two accounts, I will let you go."

In the House of Commons on Tuesday, Mr. Baldwin, Joint Financial Secretary to the Treasury, informed Mr. Lunn that the excess profits duty assessed and outstanding at 1st January, 1920, in respect of accounting periods ended during the year 1919 amounted approximately to £90,000,000; but of this amount it is estimated that upwards of one-third was not due for payment by the date mentioned.

The triennial return of the Supreme Court Paymaster, published as a supplement to the *London Gazette*, shows that the aggregate amount of funds in Court, in the various divisions of the High Court, of the value of £50 and above which have been dormant during the last fifteen years is about £1,490,000, distributed over more than 4,100 separate accounts. Considerably more than one-half of these funds do not exceed £150 in value, and only about one-twentieth exceed £1,000.

In the House of Commons on Monday Mr. Neal, Parliamentary Secretary to the Ministry of Transport, replying to Major Barnes, said: The Chairman of the Rates Advisory Committee is Mr. Goro Browne, K.C., who was appointed on the nomination of the Lord Chancellor in October last. The chairman is required to devote the whole of his time to the duties of his appointment. The salary of £5,000 a year was authorized by the Treasury as a personal arrangement till 15th August, 1921.

At the Central Criminal Court, on Monday, before Judge Atherley Jones, an Australian named Rich, aged twenty-two, described as a stoker, was found guilty and sentenced to fifteen months' imprisonment with hard labour on a charge of assaulting a man with intent to rob in Sussex-gardens, W. Judge Atherley Jones, in passing sentence, said: I am not a votary of the "cat," and I do not intend to apply it in

you; but many judges would, in the belief that it has a reforming rather than a brutalising tendency. I take the latter view.

In reply to Mr. Chadwick, who asked when it was proposed to summon women jurors, Major Baird states:—In boroughs where the panel of jurors is drawn from the burgess list women whose names appear on those lists are now qualified and liable to be summoned to serve on juries in the same way as men. Elsewhere the jury lists which are made this year for every parish will include women, and will come into force next year, and women whose names appear on those lists will then be liable to service on juries.

In the House of Commons on Monday, Dr. Addison, Minister of Health, in answer to a question by Mr. Chadwick, in reference to the proceedings of the Committee which is considering the operations of the Rent Restriction Act, said the Committee would themselves decide what evidence it is necessary to call in order to enable them to come to their conclusions, but they are, in fact, hearing evidence, amongst others, from both property owners' associations and tenants' associations. The proceedings are private, but it is intended that the evidence taken should be published with the report.

A Reuter's message from Washington, of 4th March, says:—"The House of Representatives has overwhelmingly defeated a proposal by the members for New Jersey to repeal prohibition. The State of New Jersey has filed a suit in the Supreme Court to have the Federal Prohibition Law declared void. The argument submitted is that twenty-one States have not ratified the law, and that Congress has no power to propose an amendment to the constitution to regulate the habits and morals of the people, as this is a legislative and not a constitutional matter. The Court has fixed next Monday for the hearing of the test case brought by Rhode Island, as well as prohibition appeals originating from Massachusetts and Kentucky."

"A rate of over 20s. in the £ looks like becoming the normal thing within the next few years unless the ratepayers rise up in their wrath and compel the Government to take real and definite action," states the London Labour Party in their municipal circular. "No party other than the Labour Party," adds the circular, "has a programme for the relief of the overburdened ratepayer. At the National Municipal Conference convened by the London Labour mayors for 23rd-24th April the following proposals will be submitted, and all those who want justice should support us in demanding from the Government new sources of local revenue:—(1) Immediate substantial grant from Exchequer to all local authorities; (2) increased grants in aid for specific services; (3) transfer of cost of main roads to the State; (4) rating of all land at selling value with power to purchase on this basis; (5) rating of unoccupied property as occupied; (6) rating of ground-rents."

Court Papers.

Supreme Court of Judicature.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Emergency Rota.	Appeal Court No. 1.	Mr. Justice Eve.	Mr. Justice Sargant.
Monday March 15	Mr. Farmer	Mr. Church	Mr. Leach	Mr. Goldschmidt
Tuesday 16	Jolly	Farmer	Church	Leach
Wednesday.... 17	Synge	Jolly	Farmer	Church
Thursday 18	Bloxam	Synge	Jolly	Farmer
Friday 19	Borrer	Bloxam	Synge	Jolly
Saturday 20	Goldschmidt	Borrer	Bloxam	Synge

Date.	Mr. Justice Astbury.	Mr. Justice Peterson.	Mr. Justice P. O. Lawrence.	Mr. Justice Russell.
Monday March 15	Mr. Bloxam	Mr. Jolly	Mr. Borrer	Mr. Synge
Tuesday 16	Borrer	Synge	Goldschmidt	Bloxam
Wednesday .. 17	Goldschmidt	Bloxam	Leach	Borrer
Thursday 18	Leach	Borrer	Church	Goldschmidt
Friday..... 19	Church	Goldschmidt	Farmer	Leach
Saturday 20	Farmer	Leach	Jolly	Church

High Court of Justice.—King's Bench Division.

MASTERS IN CHAMBERS, 1920.

A to F.

Mondays, Wednesdays, Fridays: Master Jelf.
Tuesdays, Thursdays, Saturdays: Master Whately.

G to N.

Mondays, Wednesdays, Fridays: Master Daldy.
Tuesdays, Thursdays, Saturdays: Master Day.

O to Z.

Mondays, Wednesdays, Fridays: Master Bonner.
Tuesdays, Thursdays, Saturdays: Master Chitty.

PRACTICE MASTER.

A Master will sit daily in his own room in accordance with the following rota to dispose of all questions of practice, exparte applications and general business.

Monday, Master Whately; Tuesday, Master Daldy; Wednesday, Master Day; Thursday, Master Jelf; Friday, Master Chitty; Saturday, Master Bonner.

Winding-up Notices.

London Gazette.—Friday, March 5.

Limited in Chancery.

JOINT STOCK COMPANIES.

Park-lane Twist Co., Ltd.—Creditors are required, on or before April 6, to send their names and addresses, and the particulars of their debts or claims, to Bernard Simpson, 61, Cambridge-rd., Southport, liquidator.

Queen's and High Cliffe Hotel Co., Ltd.—Creditors are required, on or before April 10, to send their names and addresses, and the particulars of their debts or claims, to Mr. Francis William Pixley, 58, Coleman-st., liquidator.

Brunswick Cotton Spinning Co., Ltd.—Creditors are required, on or before March 29, to send their names and addresses, and the particulars of their debts or claims, to William Stump, liquidator, under cover, The Brunswick Cotton Spinning Co., Ltd., Victoria and Albert Mills, Mossley, near Manchester.

Consolidated Colombia Platinum and Gold Mines, Ltd.—Creditors are required, on or before April 3, to send their names and addresses, and the particulars of their debts or claims, to Russell Kettle and Charles Alfred Sack, Portland House, Basinghall-st., liquidators.

Engraving Co., Ltd.—Creditors are required, on or before April 3, to send in their names and addresses, with particulars of their debts or claims, to Walter Vincent Vale, 29, Queen-st., Wolverhampton, liquidator.

Kwatta Chocolate and Cocoa, Ltd.—Creditors are required, on or before April 14, to send their names and addresses, and the particulars of their debts or claims, to Harcourt Ashford, 91-3, Bishopsgate, liquidator.

Crosses & Winkworth, Ltd. (In Voluntary Liquidation).—Creditors are required, on or before March 23, to send their names and addresses, and the particulars of their debts or claims, to Arthur Kirkham, 12, Acresfield, Bolton, liquidator.

Wilsons & Berry, Ltd.—Creditors are required, on or before April 30, to send their names and addresses, and the particulars of their debts or claims, to Andrew Ednie, 7, St. Paul's-sq., Bedford, liquidator.

London Gazette.—Tuesday, March 9.

Business H.Q.'s., Ltd. (In Voluntary Liquidation).—Creditors are required, on or before March 31, to send in their names and addresses, and full particulars of their debts or claims, to N. Victor Edwards, c/o Business H.Q.'s., Ltd., King's-bldgs., Smith-sq., Westminster, liquidator.

Allen Harding & Co., Ltd.—Creditors are required, on or before April 12, to send their names and addresses, and the particulars of their debts or claims, to Edward Cecil Moore and Basil Edgar Mayhew, 1, Metal Exchange-bldgs., Whittington-av., liquidators.

Cairo Mill Co., Ltd. (In Voluntary Liquidation).—Creditors are required, on or before April 10, to send their names and addresses, and the particulars of their debts or claims, to Richard Harold Murray, 37, Mawdsley-st, Bolton, liquidator.

Doris Spinning Co., Ltd. (In Voluntary Liquidation).—Creditors are required, on or before April 10, to send their names and addresses, and the particulars of their debts or claims, to Harold Hague, 2, Waterloo-st., Oldham, liquidator.

Oldham and Lees Spinning Co., Ltd.—Creditors are required, on or before March 31, to send their names and addresses, and particulars of their debts or claims, to Herbert G. Schofield, liquidator, c/o Oldham & Lees Spinning Co., Ltd., Waterhead, Oldham.

Thomas Kirkpatrick & Sons, Ltd.—Creditors are required, on or before April 16, to send their names and addresses, and the particulars of their debts or claims, to Mr. John Lovell Spencer, liquidator, under cover, to Thomas Kirkpatrick & Sons, Ltd., 12, Acresfield, Bolton.

William Bayliss, Ltd. (In Voluntary Liquidation).—Creditors are required, on or before March 27, to send their names and addresses, and the particulars of their debts or claims, to James Stuart Milligan, 39, Waterloo-st., Birmingham, liquidator.

Crown Preserved Coal Co., Ltd.—Creditors are required, on or before March 22, to send their names and addresses, and the particulars of their debts or claims, to Frederick William Kendall, liquidator, c/o Rider, Heaton, Meredith & Mills, 8, New-square, Lincoln's-inn.

Ilkley Poultry and Smallholders' Association, Ltd.—Creditors are required, on or before March 15, to send their names and addresses, and the particulars of their debts or claims, to Mr. John William Dixon, 2, Ashburn-pl., Ilkley, liquidator.

London Metal Co., Ltd.—Creditors are required, on or before March 24, to send their names and addresses and particulars of their debts or claims, to D. J. Cartledge, Suffolk House, Cannon-st., liquidator.

Parr Bridge Mill, Ltd.—Creditors are required, on or before March 19, to send their names and addresses, and particulars of their debts or claims, to Charles Haywood, liquidator, Parr Bridge Mill, Ltd., Parr Bridge, Bouthstown.

Resolutions for Winding-up Voluntarily.

London Gazette.—Friday, March 5.

Cosmos Consolidated, Ltd.
B. M. Baker, Ltd.
W. O. P. S. Home Made Jams, Ltd.
M.P. Manufacturing Co., Ltd.
Cosmos Engineering Co., Ltd.
Anglo-Ibero Mining Co., Ltd.
Cullum & Co. (London), Ltd.
Chart Shipping Co., Ltd.
Park-lane Twist Co., Ltd.
Norton Lodge Cinema Co., Ltd.
James Henderson & Sons, Ltd.
Woodall Duckham Vertical Retort and Oven Construction Co., Ltd.
Chesham Supply Co., Ltd.
Premier Direct Supply Oil Co., Ltd.
Queen's and High Cliffe Hotel Co., Ltd.
Wren Mill Co., Ltd.
Kwatta Chocolate & Cocoa, Ltd.
Rawtenstall Cotton Manufacturing Co., Ltd.
Pelman Schools, Ltd.
South Africa General Mission Incorporated Trust Association.
Wilton Spinning Co., Ltd.
Danish Bacon Co., Ltd.
Anthraduff Smokeless Fuel Co., Ltd.
Northern Steamship Co., Ltd.
Hunts, Cash Chemists, Ltd.
Trent Mill, Ltd.
Excelsior Motor Co., Ltd.
E. & W. Hitchcock, Ltd.
Morley Mutual Fire Insurance Co., Ltd.
Stokes & Stokes, Ltd.
Crosses & Winkworth, Ltd.
Elm Spinning Co., Ltd.
Houlder, Middleton & Co., Ltd.
Somerset Tours, Ltd.
Woodend (Kelani Valley, Ceylon) Rubber and Tea Co., Ltd.
Mather Lane Spinning Co., Ltd.
R. Landrieux & Co., Ltd.
Domes of Silence, Ltd.
Northern Daily and Weekly Newspapers, Ltd.
Kiddie & Co., Ltd.

London Gazette.—Tuesday, March 9.

New Folding Bag Manufacturing Co., Ltd.
Business H.Q's., Ltd.
Bronwylfa Stud and Land Co., Ltd.
Oldham and Lees Spinning Co., Ltd.
Kent Portland Cement Works, Ltd.
Seafield Rubber Co., Ltd.
Minerva Spinning Co., Ltd.
Cavendish Spinning Co., Ltd.
William Bayliss, Ltd.
"Ardova" Steamship Co., Ltd.
Thomas Kirkpatrick & Sons, Ltd.
H. B. & R. Hawley, Ltd.
Houseman & Thompson, Ltd.
Tonbridge Central Picture Hall, Ltd.
Smith's Dock Trust Co., Ltd.
Balmforth Bros. & Co., Ltd.
Bradford Theatre and Opera Co., Ltd.
William Burns, Ltd.
London and Glasgow Manufacturers, Ltd.
Penang Rubber Estates Co., Ltd.
W. and G. Myton, Ltd.
W. H. Rowe & Sons, Ltd.
Princes Street Estate Co., Ltd.

Creditors' Notices.

Under Estates in Chancery.

LAST DAY OF CLAIM.

London Gazette.—TUESDAY, March 9.

RICHARDSON, CHARLES GARNER, Egham, Surrey. March 31. Joanna Pole, widow, and others v. Charles Robert Edwin Pattenden. Peterson, J. Charles Robert Edwin Pattenden, 12, Bernard-st., W.C.

Under 22 & 23 Vict. cap. 35.

LAST DAY OF CLAIM.

London Gazette.—TUESDAY, March 2.

ARTHUR, MARY LUCY, Hassocks, Sussex. March 27. A. H. Baker, 52, Gracechurch-st.
AUSTIN, JAMES MEREDITH, Cairo, Egypt. April 14. Geo. W. Cook, 70, Finsbury pavemnt.
BAINBRIDGE, JAMES, Poulton-le-Fylde, Lancs. March 14. Hugh Butcher, Blackpool.
BAINES, WILLIAM NEWBOLD, Yeovil, Commercial Traveller. March 12. Mayo & Son, Yeovil.
BARNFATHER, THOMAS, Felling, Durham, Inspector of Railway Signalling. April 10. H. & A. Swinburne, Gateshead.
BELL, THOMAS, Wylam-on-Tyne, Farmer. March 31. Dickinson, Miller & Turnbull, Newcastle-upon-Tyne.
BERRY, EMILY ADA, Worksop. March 20. J. P. Russell, Sheffield.
BROPHY, ALFRED GARDNER, Lugano, Switzerland. April 24. Pearce & Nicholls, 12, New-ct., Lincoln's inn.
BURGE, RICHARD, Chelston, Torquay. March 27. Kitcons, Hutchings, Easterbrook & Co., Torquay.
BURKE, MARY JANE, Cheltenham. April 14. O. J. Williams, Cheltenham.
COCKROFT, FREDERICK WILLIAM BALME, Harrogate. April 3. Hall, Walker & Norton, Huddersfield.
CRICHTON, GEORGE, St. James'-st. April 17. Murray, Hutchins & Co., 11, Birchin-la.
DIVES, HUBERT ALSTON, Wallington, Surrey. Forthwith. A. Cecil Box, Ealing.
DONALD, RICHARD, Notting Hill. April 14. John B. & F. Purchase, 14, Regent-st.
ENGLISH, ELIZABETH, Whitley Bay. April 6. Stanford & Lambert, Newcastle-upon-Tyne.
FRIEND, ALEXANDER, Wisbech. April 10. J. J. Roper, Bridport, Dorset.
GAMLEN, WILLIAM BLAGDON, Oxford. April 6. Morrell, Peel & Gamlen, Oxford.
GALWEY, WILLIAM, Ashley-gdns., Westminster, Civil Engineer. April 9. Moon, Gilks & Moon, 24, Bloomsbury-sq.
HENDERSON, ROBERT STEWART, Mincing-la. April 17. Murray, Hutchins & Co., 11, Birchin-la.
ELEN, EDITH MARY, Tunbridge Wells. April 12. Arnold Chadwick, Fooks & Co., 60, Carey-st.
JOICEY, JOHN GEORGE, Pall Mall. April 8. Wilsons, Ornsby & Cadle, Durham.
JOURDAIN, PHILIP EDWARD BERTRAND, Fleet. March 31. Henry F. Kite, 62 and 63, Queen-st.
KING, WILLIAM, Streatham. April 4. Curtis & Co., 16, Great Marlborough-st.
LUKE, THOMAS BENJAMIN, Plymouth. March 27. Shelly & Johns, Plymouth.
MCLACHLAN, JOHN CHARLES, Shelf, Yorks., Medical Practitioner. April 3. Chambers & Chambers, Brighouse.
MONKS, JOHN PRETHEAN, Farnworth, near Bolton. April 3. Butcher & Barlow, Bury.
MOONE, EMMA ELIZA, Plymouth. March 27. Shelly & Johns, Plymouth.
MURRAY, WILLIAM CHARLES, Birchin-la. April 17. Murray, Hutchins & Co., 11, Birchin-la.
PARKE, HERBERT THOMAS, Withnell, Lancs. March 15. J. W. Carter, Blackburn.
PARKER, MARY ANN, Scarborough. April 1. Cook, Fowler & Outhet, Scarborough.
PEARSON, AGNES MARTIN, Holyhead. March 25. Willm. Thornton Jones, Bangor.
SHERIDAN, JOHN, Askham-in-Furness, Tobacconist. March 25. J. Tyson, Dalton-in-Furness.
SPENCER, Lady SARAH ISABELLA, Westminster. March 31. Freere, Cholmeley & Co., 28, Lincoln's inn-fields.
STERN, MAX, New York, U.S.A. March 25. Coward & Hawksley, Sons & Chance, 30, Mincing-la.
TAYLOR, GEORGE, Keighley. March 31. Wright & Wright, Keighley.
TARRAN, WILLIAM HENRY, Scarborough. April 15. John R. Wood, York.
TOPE, RICHARD BROOKING, Plymouth. March 27. Shelly & Johns, Plymouth.
TOWNEND, JANE, Bradford. April 1. Taylor, Jeffery & Jessop, Bradford.
WATTS, Honourable ETHELBERT, Philadelphia, U.S.A. March 23. Dowsons, 18, Adam-st., Adelphi.
WARD, SARAH CAROLINE, Leamington. March 31. Wright, Hassall & Co., Leamington.
WEINTROUB ANNIE, Kentish Town. April 1. Rubinstein, Nash & Co., 5 and 6, Raymond-bldgs.
WICKSTEED, JOSEPH HARTLEY, Leeds, Engineer. April 17. Nelson, Eddisons & Lupton, Leeds.

London Gazette.—FRIDAY, March 5.

AMBLER, MARGARET, Flixton, Lancs. April 9. W. L. Welsh & Sons, Manchester.
ARTHUR, MARY LUCY, Hassocks. March 27. A. H. Baker, 52, Gracechurch-st.
ATKINSON, ARTHUR WILLIAM, St. Neots, Hunts. March 31. Minchin, Garrett & Co., Lincoln's inn.
ATKINSON, WILLIAM, Scarborough, Joiner. April 16. Medley, Drawbridge & Co., Scarborough.
BAXTER, MARY JANE, Manchester. April 20. Robert Innes, Manchester.
BARKER, JAMES, Sheffield. April 15. S. Duffield Moorwood, Sheffield.
BOLWELL, HENRY, Weston-super-Mare. April 2. John Hodge & Co., Weston-super-Mare.
BOWER, ELIZABETH, Ramsgate. April 16. Ed. Foster Brook, Huddersfield.
BROMFIELD, JOSEPHINE, Streatham. April 7. W. Wilberforce Jackson, Croydon.
CATTLE, ROBERT NEVISON, Herne Bay. May 1. Mott & Son, 22, Bedford-row.
COFFEY, JAMES, Northenden, Chester. March 31. Alfred Keogh & Co., Altrincham.
COOKE, CAROLINE PRISCILLA, Malvern. May 1. Bischoff, Coxe & Co., 4, Great Winchester-st.
CROAD, ELIZA MARY REBECCA, Bristol. April 15. Meade-King, Cooke & Co., Bristol.
DIBBLE, GEORGE CHAFFEY, Bristol. March 31. Fox, Whittuck, Pitt & Elwell, Bristol.
DURBRIDGE, THOMAS, Bromley, Kent. April 12. Rivington & Son, 1, Fenchurch-bldgs.
ELDER, MARY, Southport. April 7. Bellhouse & Syer, Manchester.
FRYER, ANNIE, Newnham, Glos. April 14. Haines & Sumner, Newnham.
GREEN, STEPHEN, Yeovil, Plumber. April 12. Batten & Co., Yeovil.
HARGREAVES, EVELYN LUCY, Drayton-gdns., South Kensington. April 3. Wilson, Wright & Davies, Manchester.
HARRISON, WILLIAM LOWTHER, Kingston-upon-Hull, Plumber. April 9. C. E. Gresham & Son, Hull.
HARE, MABEL MADDISON, Bath. April 6. Adam, Thring, Sheldon & Ingram, Bath.
HAWKINS, WILLIAM, Manchester. April 9. W. L. Welsh & Sons, Manchester.
HEADLEY, FREDERICK WEBB, Haileybury College, Hertford. April 7. Giraud & Headley, 40, Chancery-la.
HENDEE, EDWARD THOMAS, Chicago, U.S.A. April 5. Dunderdale & Dehn, 85, London-wall.
HOAD, GEORGE, Cranbrook, Kent. April 12. Pearce & Nicholls, 12, New-ct., Lincoln's inn.
HOADLEY, MATILDA, Barrow-in-Furness. March 30. Alfred Barrow, Barrow-in-Furness.
HORN, JAMES FRANK, Papua, New Guinea. April 9. Theodore Goddard & Co., 10, Serjeants' inn, Temple.
JAMES, JOHN, Bankstown, New South Wales, Australia. April 12. Pearce & Nicholls, 12, New-ct., Lincoln's inn.
JOHNSON, DAME EMILY LOUISA, Hampstead. April 15. Crawley, Arnold, 1, Dean's-yd., Westminster.
KEITES, WILLIAM, Leicester. April 5. Whetstone & Frost, Leicester.
LARKIN, WINIFRED CLARA, St. Agnes, Cornwall. April 9. Theodore Goddard & Co., 10, Serjeants' inn, Temple.
LAST, WILLIAM, Regent's Park. May 1. Hempsons, 33, Henrietta-st.
MACK, CHARLOTTE MARY, Great Yarmouth. April 8. Wiltshire, Sons & Jordan, Great Yarmouth.
MURPHY, LUCY AGNES, Streatham. April 6. Joseph Gibson, 61, Moorgate-st.
QUINN, CATHERINE SELINA SARAH, Wallingford. April 14. Farrer & Co., 66, Lincoln's inn-fields.
RADCLYFFE, AGNES MARY, Bath. March 25. Robertson & Sylvester, Bath.
RICHARDSON, ELIZABETH, Heywood, Lancs. April 10. Banks, Kay & Redman, Heywood.
RODWELL, EDWARD HANNINGTON, Tunbridge Wells. May 1. W. C. Cripps, Sön & Harries, Tunbridge Wells.
ROWLANDS, MARGARET, Aberystwyth. March 20. D. Emrys Williams, Aberystwyth.
ROBINS, JOHN WILLIAM, Woodford, Essex, Commercial Traveller. April 20. Anning & Co., 78, Cheapside.
SHARP, MARY ANNE DYER, Ringwood, Hants. April 12. Charles J. Sharp, Southampton.
SMART, FANNY LANGFORD WARD, Honor Oak-park, Kent. April 10. Stannard & Bosanquet, 19, Eastcheap.
SMITH, WILLIAM RICHARD, Cottingham, Yorks., Wholesale Draper. April 9. C. E. Gresham & Son, Hull.
STEEDMAN, DAVID, Kingston-upon-Hull, Wholesale Druggist. May 10. Thorney & Son, Hull.
SUMNER, JAMES COOPER, Coppenhall, Chester. April 17. Sale & Co., Manchester.
TYRWHITT, Rev. CECIL BOOTH, Bristol. April 10. Perham & Sons, Bristol.
WAGHORN, EDITH ANNE, Blackheath. March 25. C. E. S. Mason, Blackheath.
WHITEN, FREDERICK WILLIAM, Merton Park, Surrey. April 10. James, Mellor & Coleman, 12, Coleman-st.
WOOD, EGERTON WHITTAKER, Manchester. April 9. W. L. Welsh & Sons, Manchester.
WILSON, ALBERT, Streatham. April 15. Simpson, Palmer & Winder, 1, Southwark-st., London Bridge.
WONHAM, ALBERT RUNBRIDGER, Wandsworth Common. March 25. Ince, Colt, Ince and Roscoe, St. Benet-chmbrs., Fenchurch-st.
WOODRUFF, ARTHUR PATTRICK, Silkstone, near Barnsley. April 9. Tyas & Son, Barnsley.

London Gazette.—TUESDAY, March 9.

ACKERS, ISABELLA, Sunningdale, Berks. April 10. Gusconte, Wadham & Co., 19, Essex-st.
ALEXANDER, MARY ANNE, West Worthing. April 10. Devonshire, Monkland & Co., 1, Frederick's-pl.

AUGIDEN, DANIEL TILLOTSON, Freetown, Colony of Sierra Leone. April 12. Bischoff Coxe, Bischoff & Thompson, 4, Great Winchester-st.
BAIGENT, JOHN, Worldham, Southampton, Yeoman. April 1. Thomas Eggar & Co., Brighton.
BANCROFT, WALTER JOHN, Handsworth, Birmingham. April 24. Bickley & Lynex, Birmingham.
BARBER, HARRIETTE MORTIMER SCOTT, Nuova Careggi, near Florence, Italy. April 9. Slaughter & May, 18, Austin Friars.
BEACH, LIONEL HADWEN FLETCHER, Coulsdon, Surrey. April 5. Gibsons & Sturton, Lancaster.
BELL, ARCHIBALD, Buenos Ayres. April 10. Batesons & Co., Liverpool.
BROWELL, RICHARD, Morpeth, Licensed Victualler. April 12. J. J. Sutherland, Gateshead.
BUTLER, WALTER, Reading, Berks. April 4. Martin & Martin, Reading.
CARMAN, ROBERT, Plumstead, Canteen Waiter. April 20. Whitgreave, Mack & Co., 25, Craven-st.
CLERK, JOHN SOMERVAIL, Porchester-ter., Hyde Park. April 1. Park, Nelson & Co., 11, Essex-st.
CLINCH, EMMA JANE, Kea, Cornwall. April 6. Coulter, Hancock & Thrall, Truro.
CLOVER, ESTHER ANN, Bournemouth. March 31. F. C. Watkinson, Huddersfield.
CRADDOCK, JOHN HENRY, Finsbury Park. April 17. Malkin & Co., Martin-la.
DAVIES, GEORGE HUMPHREYS, Lawrence Pountney-la. April 15. Taylor, Hoare & Jelf, 12, Norfolk-st.
ECCLESTON, GEORGE, Alderley Edge, Chester, Confectioner. April 20. Grover, Smith & Moss, Manchester.
FARGUS, JAMES OWEN, Hull. May 1. Richard Davis, Hull.
FASSNIDGE, WILLIAM BROWN, Uxbridge. April 1. Bird & Lovibond, Uxbridge.
FOWLER, EMILY, Sefton Park, Liverpool. April 8. Layton & Co., Liverpool.
FREWIN, HARRIET, Bournemouth. April 9. William A. Sanders, 14, Stratford-pl.
GATER, JOHN, West End, Southampton. April 14. Goater & Blatch, Southampton.
HANSON, ALMA, Torpoint, Cornwall. April 7. J. A. Pearce, Devonport.
HOBART, ALICE MARY, Clapton. April 20. Claudius Geo. Algar, 22, Martin-la.
HODGSON, JAMES, How Mill, Cumberland, Farmer. April 8. J. Errington & Son, Carlisle.
INCHLEY, WILLIAM THOMAS, Moseley, Birmingham. April 17. Mogford, Son & Warwick, Birmingham.
LOVELL, ARTHUR GORDON HAYES, M.D., F.R.C.S., Clarges-st., Mayfair. April 10. Cox & Co., 17, Tower Royal, Cannon-st.
MAY, WILLIAM, Horsmonden, Kent. April 1. Robert Gower, Tunbridge Wells.
MARSDEN, JOHN, Leicester. April 20. Harvey, Clarke & Adams, Leicester.
MEREDITH, AMY CONSTANCE HELEN, Ormond-ter., Regent's Park. April 15. A. E. & G. Tooth, 37, Lincoln's inn-fields.
MITCHELL, HENRY VICTOR, Hammersmith. April 5. W. F. Wilson, Margate.
MILLER, JOSEPH, Hessle, East Yorks. April 10. Martinson & Stow, Hull.
MOWATT, Right Honourable Sir FRANCIS, Sloane-gdns. April 16. Farrer & Co., 66, Lincoln's inn-fields.
MUIRHEAD, DAVID, Sunderland, Draper. March 31. Dixon, Barker & Dingle, Sunderland.
MYERS, HENRY JOHN, Folkestone. April 6. F. J. Hall, Lyminge, Kent.
NUNN, ROBERT HENRY, Avenue-rd., London, General Manager of a Bank. April 16. Claudius Geo. Algar, 22, Martin-la.
PEARSON, ELIZABETH, Lea, Derby. April 10. Walker & Terry, Belper.
REPETTO, MAURIZIO FABRE, Genoa, Italy. April 16. Wild, Collins & Crosse, Crown-ct., Cheapside.
ROBINSON, EMMA HORSFORD, Victoria-st. April 1. Park, Nelson & Co., 11, Essex-st.
SALTER, WILLIAM, Boscombe. March 31. Reed & Reed, 1, Guildhall-chmbrs.
SAUNDERS, Honourable HENRY JOHN, Guildford. May 1. W. H. & A. G. Herbert, 10, Cork-st.
SPENCER, LOUISA EMMA, Highbury. April 12. Engall & Crane, 44, Bedford-row.
STRADMAN, MARIANNE ROYSTON, Clifton, Bristol. April 17. Meade-King, Cooke & Co., Bristol.
STARKEY, ALFRED JOHN, Hatfield, Herts, General Engineer. April 24. Longmores, Hertford.
TANNER, JANE, Patcham, near Brighton. April 5. Howlett & Clarke, Brighton.
TAYLOR, MARIA ALICE, Weaste, Lancs. April 5. Marriott & Co. Manchester.
THORN, RICHARD, Northumberland-av. April 29. Harvey, Clarke & Adams, Leicester.
TUBBS, ISABELLA, Southampton. April 16. Waller & Thornback, Southampton.
WATSON, EDWARD WARD, Monkseaton, Northumberland, Estate Agent. April 15. Jno. F. Stewart, Newcastle-upon-Tyne.
WADDILOVE, MAUD, Harrogate. March 31. Hugh Hammond & Topham, Bradford.
WADSWORTH, GEORGE, Wigan. March 17. James C. Gibson, Wigan.
WILLEY, MARY, Doncaster. April 12. Atkinson & Sons, Doncaster.
WILLIAMS, CHRISTOPHER CHARLES, Freetown, Colony of Sierra Leone. April 12. Bischoff, Coxe, Bischoff & Thompson, 4, Great Winchester-st.
WORMALD, SUSAN, Harlesden. April 6. Pierron & Morley, Hammersmith.
YATES, JAMES, Lees, Lancs. April 9. Rowntree & Ritson, Oldham.

Messrs. TROLLOPE have sold the important leasehold town mansion, 10, Smith-square, Westminster, by private treaty.

Bankruntcy Notices

London Gazette.—TUESDAY, Feb. 24

ADJUDICATIONS.

BOOTH, WILLIAM, Stockton-on-Tees, Labourer. Stockton-on-Tees. Pet. Feb. 20. Ord. Feb. 20.
DEFTY, JOHN JAMES, Bury, Lancs, Scale Beam and Weighing Machine Maker. Bolton. Pet. Feb. 20. Ord. Feb. 20.
HARVEY, WILLIAM J., Fulham, Journalist. High Court. Pet. Nov. 14. Ord. Feb. 21.
PATTISON, WILLIAM ERNEST, Birmingham, Wholesale Draper. Birmingham. Pet. Feb. 19. Ord. Feb. 19.
ROBERTS, HENRY, Peckham Rye, Commission Agent's Clerk. High Court. Pet. Feb. 19. Ord. Feb. 19.

London Gazette.—FRIDAY, Feb. 27.

RECEIVING ORDERS.

BARNARD, GERALD OSMOND, Monmouth, Engineer's Apprentice. Newport, Mon. Pet. Feb. 23. Ord. Feb. 23.
BROOKE, JOE, Walkley, Sheffield, Hack Saw Manufacturer. Sheffield. Pet. Feb. 2. Ord. Feb. 23.
BUCKLE, ROBERT H., Nottingham-pl., London. High Court. Pet. Jan. 15. Ord. Feb. 24.
D'ARCY, VIOLETTE, Westbourne-gr., London. High Court. Pet. Jan. 12. Ord. Feb. 23.
DRANE, EDWARD M. High Court. Pet. Jan. 27. Ord. Feb. 23.
FAIRBURN, CHARLES, Cavendish-sq. High Court. Pet. Jan. 23. Ord. Feb. 24.
FOX, THOMAS, Dunnington, Yorkshire, Threshing Machine Owner. York. Pet. Feb. 23. Ord. Feb. 23.
LEYLAND, GEOFFREY RICHARD, Easton-in-Gordano, near Bristol. Bristol. Pet. Feb. 9. Ord. Feb. 23.
MAUNDER, ARTHUR, Great Grimsby, Fisherman. Great Grimsby. Pet. Feb. 23. Ord. Feb. 23.
PHILLIPS, FRANCIS HEDLEY, Portsmouth, Caterer. Portsmouth. Pet. Feb. 21. Ord. Feb. 21.
REAVELY, ARCHIBALD GEORGE BERTRAM, Pall Mall, London. High Court. Pet. Jan. 7. Ord. Jan. 23.
ROGERS, WILLIAM LLOYD, Abersychan, Monmouth, Grocer. Newport, Mon. Pet. Feb. 23. Ord. Feb. 23.
SALT, JOSEPH, Bubwith, Yorks., Saddler Dealer. Kingston-upon-Hull. Pet. Feb. 23. Ord. Feb. 23.
TRIBBLE, W. (Male), Torrington, Devonshire, Smith. Barnstaple. Pet. Feb. 6. Ord. Feb. 23.
TURNER, ALGERNON GEORGE, Moreton-in-the-Marsh, Farm Labourer. Cheltenham. Pet. Feb. 25. Ord. Feb. 25.
Amended Notice substituted for that published in the London Gazette of Jan. 16.
CONYNGHAM, Lord CHARLES ARTHUR, Newquay, Cornwall. Truro. Pet. Dec. 15. Ord. Jan. 14.

FIRST MEETINGS.

BAX, WILLIAM EDWARD, 206, Eglington-hill, Plumstead, Kent, Stage Carpenter. Mar. 5 at 11. 132, York-rd., Westminster Bridge-rd.
BUCKLE, ROBERT H., Nottingham-pl., London. Mar. 9 at 11. Bankruptcy-bldgs., Carey-st.
BURRELL, JOHN HENRY, Skirbeck Quarter, Lincoln, Farm Produce Dealer. Mar. 9 at 12. 4 and 6, West-st., Boston.
D'ARCY, VIOLETTE, Westbourne-grove. Mar. 8 at 12. Bankruptcy-bldgs. Carey-st.
DAVIES, WILLIAM, Llangennech, Carmarthenshire. Mar. 9 at 11.30. Off. Rec., 4, Queen-st., Carmarthen.
DRANE, EDWARD M. Mar. 8 at 11. Bankruptcy-bldgs., Carey-st.
FAIRBURN, CHARLES, Cavendish-sq., London. Mar. 9 at 12. Bankruptcy-bldgs., Carey-st.
FOX, THOMAS, Dunnington, Yorks., Threshing Machine Owner. Mar. 9 at 2.30. Bankruptcy Office, Duncombe-pl., York.
MAUNDER, ARTHUR, Great Grimsby, Fisherman. Mar. 6 at 11. Off. Rec., St. Mary'-chmbrs., Great Grimsby.
REAVELY, ARCHIBALD GEORGE BERTRAM, Pall Mall. Mar. 8 at 12. Bankruptcy-bldgs., Carey-st.
SALT, JOSEPH, Bubwith, Yorks Saddler Dealer. Mar. 9 at 11.30. Off. Rec., York City Bank-chmbrs., Lowgate, Hull.
SCALES, CHARLES, Manchester, Journeyman Tailor. Mar. 8 at 3. Off. Rec., Byrom-st. Manchester.
SCOTHERN, FREDERICK WILLIAM, Battersea, Jeweller. Mar. 5 at 12.30. 132, York-road, Westminster Bridge-rd.

ADJUDICATIONS.

BARNARD, GERALD OSMOND, Le Vallon, Machen, Monmouth, Engineer's Apprentice, Newport, Mon. Pet. Feb. 23. Ord. Feb. 23.
BAX, WILLIAM EDWARD, Plumstead, Kent, Stage Carpenter, Greenwich. Pet. Feb. 20. Ord. Feb. 24.
CHIPPERFIELD, GEORGE, Sutton, Surrey, Dairyman. High Court. Pet. Jan. 3. Ord. Feb. 23.
DEW, GEORGE FREDERICK, Bread-street-hill, Editor. High Court. Pet. Nov. 22. Ord. Feb. 24.
FOX, THOMAS, Dunnington, Yorkshire, Threshing Machine Owner. York. Pet. Feb. 23. Ord. Feb. 23.
GOLD, NATHAN, Whitechapel, Fishmonger. High Court. Pet. Feb. 21. Ord. Feb. 24.
HUTCHINSON, ARTHUR ST. CLAIR, Tottenham Court-rd., London. High Court. Pet. Jan. 1. Ord. Feb. 25.
JONES, WILLIAM EDWARD, Bron Bottes Farm, Llanarmon, Denbighshire, Farmer. Wrexham. Pet. Jan. 31. Ord. Feb. 23.
MAUNDER, ARTHUR, Great Grimsby, Fisherman. Great Grimsby. Pet. Feb. 23. Ord. Feb. 23.
NOCTON, ROBERT, Bayswater. High Court. Pet. Jan. 3. Ord. Feb. 25.
PHILLIPS, FRANCIS HEDLEY, Portsmouth, Caterer. Portsmouth. Pet. Feb. 21. Ord. Feb. 21.
ROGERS, WILLIAM LLOYD, Abersychan, Monmouth, Grocer. Newport, Mon. Pet. Feb. 23. Ord. Feb. 23.
SALT, JOSEPH, Bubwith, Yorks., Saddler Dealer. Kingston-upon-Hull. Pet. Feb. 23. Ord. Feb. 23.
SCOTHERN, FREDERICK WILLIAM, Battersea, London, Jeweller. Wandsworth. Pet. Feb. 20. Ord. Feb. 24.
TURNER, ALGERNON GEORGE, Moreton-in-the-Marsh, Farm Labourer. Cheltenham. Pet. Feb. 25. Ord. Feb. 25.

ADJUDICATIONS ANNULLED.

CHARITY, GEORGE THOMAS, Stow, Lincs, Newsagent. Lincoln. Adju., May 9, 1919. Annul. Feb. 17, 1920.

ORDER ANNULLING, REVOKING, OR RESCINDING ORDER.

HARARI, JOSHUA, Southport, Lancs: Manchester. Ord. Annul., Rev. or Resc., Rec. Order dated Sept. 14, 1903, discharged, and Adjudication, dated Oct. 1, 1906, annulled. Annul., Rev. or Resc. Jan. 23, 1920.

London Gazette.—TUESDAY, Mar. 2.

RECEIVING ORDERS.

ANDERSON, JOHN, Barrow-in-Furness, Tailor. Barrow-in-Furness. Pet. Feb. 16. Ord. Feb. 26.
CORDON, WALTER HENRY, Great Grimsby, Labourer, Great Grimsby. Pet. Feb. 26. Ord. Feb. 26.
CRAIG, HAROLD JOHN, Jermyn-st. High Court. Pet. Oct. 9. Ord. Jan. 26.
HUGHES, EDWARD, Thatto Heath, St. Helens, Grocer. Liverpool. Pet. Feb. 26. Ord. Feb. 26.
KNOX, ELIZABETH, Hartlepool. Sunderland. Pet. Feb. 24. Ord. Feb. 24.
LAWFORD, WILLIAM DOUGLAS, Southborough, Kent. Tunbridge Wells. Pet. Feb. 14. Ord. Feb. 28.
NORRIS, LEONARD CLARENCE, St. John's Wood. High Court. Pet. Feb. 26. Ord. Feb. 26.
PHILLIPS, JOHN, Llanhilleth, Mon., Playhouse Manager. Newport, Mon. Pet. Feb. 27. Ord. Feb. 27.
SANDERSON, JAMES LOWTHER, York, Draper. York. Pet. Feb. 26. Ord. Feb. 26.
SMITH, E. YALE, Piccadilly. High Court. Pet. May 16. Ord. Feb. 26.
STANYER, JAMES, Hanley, Stafford, Merchant. Hanley. Pet. Jan. 19. Ord. Feb. 27.

FIRST MEETINGS.

BARNARD, GERALD OSMOND, Machen, Mon., Engineer's Apprentice. Mar. 10 at 12. Off. Rec., 117, St. Mary-st., Cardiff.
CORDON, WALTER HENRY, Great Grimsby, Labourer. Mar. 10 at 11. Off. Rec., St. Mary's-chmbrs., Great Grimsby.
HUGHES, EDWARD, Thatto Heath, St. Helens, Grocer. Mar. 9 at 11.30. Off. Rec., Union Marine-bldgs., 11, Dale-st., Liverpool.
JONES, WILLIAM EDWARD, Llanarmon, Denbighshire, Farmer. Mar. 9 at 12. Crypt-chmbrs., Eastgate-rd., Chester.
LEYLAND, GEOFFREY RICHARD, Easton-in-Gordano, near Bristol. Mar. 10 at 11.30. Off. Rec., 26, Baldwin-st., Bristol.
NORRIS, LEONARD CLARENCE, St. John's Wood. Mar. 11 at 11. Bankruptcy-bldgs., Carey-st.
PATTISON, WILLIAM ERNEST, Birmingham, Wholesale Draper. Mar. 10 at 11.30. Off. Rec., 191, Corporation-street, Birmingham.
PHILLIPS, FRANCIS HEDLEY, Portsmouth, Caterer. Mar. 11 at 12. Off. Rec., Cambridge Junction, High-st., Portsmouth.
SANDERSON, JAMES LOWTHER, York, Draper. Mar. 16 at 2.30. Bankruptcy Office, Duncombe-pl., York.
SMITH, E. YALE, Piccadilly. Mar. 10 at 12. Bankruptcy-bldgs., Carey-st.
TOTTENHAM, HAROLD WILLIAM LOFTUS, Rhos-on-Sea, Denbigh, Motor Garage Proprietor. Mar. 11 at 11. County Court-bldgs., Cheltenham.
TURNER, ALGERNON GEORGE, Upper Oddington, Farm Labourer. Mar. 16 at 11.30. County Court-bldgs., Cheltenham.